

**BOARD OF COUNTY COMMISSIONERS
BOARD MEETING
PALM BEACH COUNTY, FLORIDA**

ADDITIONS, DELETIONS, & SUBSTITUTIONS

DECEMBER 7, 2021

<u>PAGE</u>	<u>ITEM</u>	
69	6E-1	REVISED MOTION: A) approve a Donation Agreement between Palm Beach County (County) and the State of Florida, Department of Corrections (FDC) for the <u>purchase and subsequent donation of a Mobile Felony Probation Unit (Mobile Unit) from the County to FDC as part of the John D. and Catherine T. MacArthur Foundation Safety and Justice Challenge; C) authorize the Palm Beach County Administrator or designee to execute any amendments, documents, and reports related to this agreement on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budget allocations. to the above referenced agreements.</u> (CJC)
73	6I-1	ADD-ON: Staff recommends motion to approve on preliminary reading and advertise for public hearing on December 21, 2021 at 9:30 a.m.: an ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Palm Beach County Code, Chapter 13, Article ii, Division 1 (EMS Ordinance); amending Section 13-22 (application for COPCN) relating to financial statements requirement for special secondary service providers; providing for recitals; providing for repeal of laws in conflict; providing for a savings clause; providing for severability; providing for inclusion in the code; providing for captions; and providing for an effective date. SUMMARY: In accordance with Palm Beach County Code, Chapter 13, Article II, Division 1, Emergency Medical Services (EMS) Ordinance, any agency desiring to provide non-transport ALS services within a community until the primary provider arrives pursuant to a contract with that Community Association must submit an application to the County and meet the requirements for issuance of a Special Secondary Service Provider Certificate of Public Convenience and Necessity (COPCN). Currently, the EMS Ordinance requires the Department of Public Safety, Division of Emergency Management to review the special secondary service application, confirm compliance with the EMS Ordinance requirements, and recommend approval. The EMS Ordinance sets forth COPCN application requirements for special secondary service providers, including a requirement for privately held entities to provide audited financial statements. Private agencies requested that this requirement for special secondary service providers be revised to provide alternatives to submitted audited financial statements. On October 19, 2021, the Board of County Commissioners directed staff to bring back an amendment to the financial statements requirement to provide more flexibility for private agencies to provide special secondary services. The amendment to the EMS Ordinance would allow special secondary service applicants that do not have audited financial statements to instead submit reviewed financial statements along with a written acknowledgment from the affected Community Association, signed by an authorized representative, confirming that the Community Association acknowledges and accepts that the applicant does not have audited financial statements and has submitted with its COPCN application reviewed financial statements in lieu of audited financial statements. Following approval of this amendment, any application for Special Secondary COPCN would still come back to the Board of County Commissioners for review and approval. At the November 18, 2021 EMS Council meeting, the EMS Council reviewed and recommended approval of the EMS Ordinance revisions. This proposed amendment to the EMS Ordinance was presented to the League of Cities on November 24, 2021. (Public Safety)

NOTE: Items that were revised, added, deleted, or backup submitted and were not listed on the preliminary addition/deletion sheet distributed to the Board the prior day are noted with an asterisk (*).

**ORDER OF BUSINESS
BOARD OF COUNTY COMMISSIONERS
BOARD MEETING
PALM BEACH COUNTY, FLORIDA**

DECEMBER 7, 2021

**TUESDAY
9:30 A.M.**

**COMMISSION
CHAMBERS**

- 1. CALL TO ORDER**
 - A. Roll Call
 - B. Invocation
 - C. Pledge of Allegiance

- 2. AGENDA APPROVAL**
 - A. Additions, Deletions, Substitutions
 - B. Adoption

- 3. CONSENT AGENDA (Pages 10-59)**

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- 5. PUBLIC HEARINGS - 9:30 A.M. (Pages 61-64)**

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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to ratify: the following Palm Beach County League of Cities (League) representatives to the Treasure Coast Regional Planning Council (TCRPC), beginning January 1, 2022 to December 31, 2022:

<u>Nominees</u>	<u>Seat No.</u>	<u>Representing</u>
<u>Regular appointments:</u>		
Anne Gerwig, Mayor	4	Village of Wellington
Jeff Hmara, Councilman	5	Village of Royal Palm Beach
Robert Gottlieb, Vice Mayor	6	Town of South Palm Beach
John Linden, Commissioner	7	Town of Lake Park
Chelsea Reed, Vice Mayor	8	City of Palm Beach Gardens
<u>Alternate appointments:</u>		
Joseph Peduzzi, Commissioner	4A	City of West Palm Beach
Regina Bohlen, Vice Mayor	5A	City of Pahokee
Kristine de Haseth, Mayor	6A	Town of Ocean Ridge
Herman Robinson, Commissioner	7A	City of Lake Worth Beach
Vacant	8A	

SUMMARY: In accordance with the TCRPC Rules of Order, the Board of County Commissioners (BCC) appointed its members and alternates for the coming year before the Council's annual meeting on December 10, 2021. The TCRPC Rules of Order also require the BCC ratify the League's members. The League appointed the above municipal representatives at their October, 2021 meeting. Countywide (RPB)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

2. Staff recommends motion to approve: the Board of County Commissioners appointments to the Treasure Coast Regional Planning Council for a one year term beginning January 1, 2022 to December 31, 2022. Proposed appointments are shown below:

<u>Regular Seats</u>	<u>Seat No.</u>	<u>Requirement</u>
Commissioner Maria G. Marino	1	Palm Beach County Official
Commissioner Mack Bernard	2	Palm Beach County Official
Commissioner Gregg K. Weiss	3	Palm Beach County Official
<u>Alternate Seats:</u>		
Commissioner Melissa McKinlay	1A	Palm Beach County Official
Commissioner Maria Sachs	2A	Palm Beach County Official
Commissioner Dave Kerner	3A	Palm Beach County Official

SUMMARY: In accordance with the Treasure Coast Regional Planning Council Rules of Order, the Board of County Commissioners (BCC) is requested to appoint their members and alternates for the coming year before the Council's Annual meeting on December 10, 2021. The BCC will also need to ratify the Palm Beach County League of Cities members under a separate board appointment item. Countywide (RPB)

B. CLERK OF THE CIRCUIT COURT & COMPTROLLER

1. **Staff recommends motion to receive and file:** Warrant List – Backup information can be viewed in the Clerk & Comptroller's Office.
2. Staff recommends motion to approve: the following final minutes of the Board of County Commissioners' meetings:

<u>Meeting Date</u>	<u>Meeting Type</u>
July 27, 2021	Joint meeting
August 17, 2021	Regular
August 17, 2021	Environmental Control

3. Staff recommends motion to approve: Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller's Office. Countywide

3. CONSENT AGENDA APPROVAL

B. CLERK OF THE CIRCUIT COURT & COMPTROLLER (Cont'd)

4. Staff recommends motion to receive and file: a list of Clerk & Comptroller Finance Department records which have met the revised required State retention schedule and are scheduled for destruction. **SUMMARY:** These records have met the required retention schedule of the Florida Division of Library and Information Services per Sections 28.30, 28.31, 257.36 (6), Florida Statutes. Countywide

5. Staff recommends motion to receive and file: the annual financial reports, excess fees and unexpended budget for Fiscal Year 2020-2021, for the Clerk & Comptroller, Tax Collector, and Property Appraiser. **SUMMARY:** The financial reports of these Constitutional Officers were submitted to the Office of the Clerk of the Circuit Court & Comptroller on or before October 31, 2021, in accordance with Section 218.36, Florida Statutes. The amounts shown for the Tax Collector and the Property Appraiser represent the total payment to the County. A portion of these revenues are budgeted in the Library, Fire-Rescue, and various other special revenue funds. The amounts shown as additional/decrease in excess fees will be included in the adjustment for additional balances brought forward, which will be brought to the Board of County Commissioners in March 2022. Countywide

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. Staff recommends motion to approve:

A) a Memorandum of Understanding (MOU) with the Area Agency on Aging Palm Beach/Treasure Coast, Inc. (AAA), for the period October 1, 2021 through September 30, 2022, to implement a Home Delivered Meals for Seniors Program, for a total amount of funding not-to-exceed \$44,484; and

B) a budget amendment of \$44,484 in FY 2022 in the Division of Senior and Veteran Services (DSVS) Administration Fund to align the budget to the actual grant award.

SUMMARY: The MOU serves the purpose of defining and outlining the responsibilities of both AAA and the Palm Beach County Division of Senior and Veteran Services (DSVS) in the implementation of the United Way of Palm Beach County, Inc.'s financial grant for the Home Delivered Meals Program. AAA will screen clients and make referrals to DSVS. AAA will reimburse the DSVS \$6 per meal for 7,414 home-delivered meals in the Palm Beach County Community Care Area A. This is the first MOU for this program. The United Way of Palm Beach County's Hunger Relief Initiative mission of feeding hungry people in the community is providing AAA with funding to serve seniors through donations received from fundraising events. Each senior is to receive seven meals a week. DSVS will serve at least 24 seniors during the term of this MOU. The seniors to be served will be those released from AAA's home-delivered wait meals waitlist. DSVS is responsible for providing services north of Hypoluxo Road. The Mae Volen Center, Inc. is responsible for providing services in the areas south of Hypoluxo Road. Sufficient funding is included in the current budget to meet County obligations. **No County match is required.** (DSVS) Countywide except for portions of Districts 3, 4, 5, and 7 south of Hypoluxo Road (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. Staff recommends motion to approve:

A) Amendment No. 001 to Standard Agreement No. IH021-9500 (R2021-1203) for Home Care for the Elderly (HCE) with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA), for the period July 1, 2021 through June 30, 2022, to add new language and revise portions of the standard agreement, to assist seniors and their caregivers with the provision of care in a family-type living arrangement as an alternative to institutional care, with no change to the total grant amount of \$181,797; and

B) Amendment No. 001 to Standard Agreement No. IR021-9500 (R2021-1205) for Respite for Elders Living in Everyday Families (RELIEF) with AAA, for the period July 1, 2021 through June 30, 2022, to add new language and revise portions of the standard agreement, to assist seniors and their caregivers with the provision of care in a family-type living arrangement as an alternative to institutional care, with no change to the total grant amount of \$45,656.25.

SUMMARY: Per the Department of Elder Affairs, per Chapter 430, Florida Statutes, AAA is designated to administer programs. Amendment No. 001 to Standard Agreement No. IH021-9500 (CSFA No. 65.001) and Amendment No. 001 to Standard Agreement No. IR021-9500 (CSFA No. 65.006) are required by AAA and adds Paragraph 11.8 in accordance with the Governor's Executive Order 20-44, which requires executive agencies to submit a list of entities named in the statute with which a state agency must form a sole-source, public-private agreement, or an entity that through contract or other agreement with the State, annually receives 50% or more of their budget from the State or from a combination of state and federal funds. Any entity that meets one or both of the criteria listed must submit an annual report, including the most recent IRS Form 990, detailing the total compensation for the entity's executive leadership teams within 30 days of execution of this agreement. This language does not apply to the County, as the County does not currently receive more than 50% of its funding from state and federal grants, but if this ratio changes, the language may apply. **No County match is required.** The Division of Senior and Veteran Services (DSVS) is responsible for providing services north of Hypoluxo Road. The areas of service include all of the districts, excluding District 3, 4, 5 and 7 south of Hypoluxo Road. The Mae Volen Center, Inc. is responsible for providing services in the areas south of Hypoluxo Road. (DSVS) Countywide except for portions of Districts 3, 4, 5, and 7 south of Hypoluxo Road (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3. Staff recommends motion to ratify: the signature of the Mayor on the Ryan White Part A HIV Emergency Relief Grant Program application with the U.S Department of Health and Human Services (DHHS), Health Resources Services Administration (HRSA), for the period March 1, 2022 through February 28, 2023, in the amount of \$7,669,870, for new and existing programs to continue improving health outcomes for clients with HIV/AIDS. **SUMMARY:** The Ryan White Part A HIV Emergency Relief Grant Program application in the amount \$7,669,870 was submitted to HRSA on October 6, 2021. The grant application highlights the need to expand existing programs to end the HIV epidemic, and a 5% increase in funding is requested, specifically to meet the increased need during the economic recovery period of the COVID-19 pandemic. Some of the services provided under the grant are medical case management, medical care, pharmaceutical assistance, oral health care, legal support services, outpatient ambulatory services, health insurance premium assistance and food bank home-delivered meals. The grant will allow the County to serve approximately 3,600 Palm Beach County residents with HIV/AIDS in Grant Year (GY) 2022. In GY 2021, 3,155 clients were served with a viral suppression rate of 83%. The emergency signature process was utilized because there was insufficient time to submit this item through the regular agenda process. **No County match is required.** (Ryan White Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

4. Staff recommends motion to approve: the new appointments of four members to the Community Action Advisory Board (CAAB), effective December 7, 2021:

<u>Seat No.</u>	<u>Reappointment</u>	<u>Seat Requirement</u>	<u>Term Ending</u>	<u>Nominated By</u>
1	Raynold Sam	Public Sector Representative	09/30/24	Comm. Bernard
3	Guillermo Carrasco	Public Sector Representative	09/30/24	Comm. Weiss
4	Steve West	Public Sector Representative	09/30/24	Comm. Bernard
15	Michaella Key	Representative of the Low-Income Sector	09/30/24	Democratically selected in Riviera Beach

SUMMARY: The total membership for CAAB shall be no more than 15 at-large members, comprised of one-third elected public officials or their representatives, one-third private sector members recommended by the CAAB and one-third low-income representatives selected by a democratic process in the target neighborhoods served, per Resolution No. R2018-0372, adopted April 10, 2018, amending Resolution R2014-0588. Members will fully participate in the planning, implementation, and evaluation of the Community Services Block Grant program to serve low-income communities. The appointments meet all applicable guidelines and requirements outlined in the resolution. The diversity count for the 7 seats that are currently filled is African-American: 6 (85%) and Caucasian: 1 (15%). The gender ratio (female: male) is 5:2. Mr. Sam and Ms. Key are African-American. Mr. Carrasco is Hispanic-American and Mr. West is Caucasian. Staff conducts targeted outreach in an effort to proffer candidates for appointments that maintain a diverse composition of the board. (Community Action Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

5. Staff recommends motion to:

A) receive and file Notice of Grant Award/Fund Availability (NFA) #39864 (Federal Award Identification Number G2001FLCOSR, CFDA 93.569) modification from the State of Florida, Department of Economic Opportunity (FDEO), to increase the amount by \$233,105.05 for a new not-to-exceed amount of \$950,687.65, for the program period October 1, 2019 through November 30, 2021, for the Community Services Block Grant (CSBG) program; and

B) approve a budget amendment in the amount of \$233,105 in the CSBG fund to align the budget to the actual grant award.

SUMMARY: On June 15, 2021, the Board of County Commissioners ratified the Mayor's signature on the Federally Funded Subgrant Umbrella Agreement #E2016 (R2021-0783) with the FDEO, for the period October 1, 2020 through September 30, 2023, for the LIHEAP and CSBG programs. Under the terms of the new umbrella agreement, FDEO will issue an NFA for each program award, and issue amendments to NFA's for any changes. This NFA was issued to increase funding and will be used to issue grocery cards to low-income clients. This funding will serve approximately 827 clients with grocery cards for \$400 each. A total of \$342,105 of the total CSBG allocation will be used for food cards, inclusive of card fees. Remaining CSBG dollars are used for other program costs, such as employment and entrepreneurship training. **No County match is required.** (Community Action Program) Countywide (HH)

F. AIRPORTS

1. Staff recommends motion to receive and file: Consent to Sublease (Consent), consenting to the sublease of office and hangar space by Jet Aviation Associates, Ltd. (Jet) at the Palm Beach International Airport, with Haugland Energy Group, LLC, effective August 1, 2021. **SUMMARY:** Jet provides fixed base operator services for general aviation aircraft at PBI pursuant to a Lease Agreement (R99-2239, as amended). The Lease Agreement provides for the sublease of space subject to the County's consent. Delegation of authority for execution of the standard form consent to sublease was approved by the Board in R94-1453. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

2. Staff recommends motion to receive and file: two Consent to Sublease (Consent) documents, consenting to the sublease of space by Atlantic Aviation – West Palm Beach LLC d/b/a Atlantic Aviation PBI (Atlantic) at the Palm Beach International Airport (PBI), with the following subtenants:

1. Air Rutter International, LLC d/b/a Alerion Aviation and d/b/a Jet Rx, effective 9/1/2021; and

2. Falcon 2000 Leasing, LLC, effective 10/1/2021

SUMMARY: Atlantic provides fixed based operator services for general aviation aircraft at PBI pursuant to a Lease Agreement dated October 18, 2000 (R2000-1067, as amended). The Lease Agreement provides for the sublease of space subject to the County's consent. Delegation of authority for execution of the standard form consent to sublease was approved by the Board in R94-1453. Countywide (AH)

3. Staff recommends motion to receive and file: Amendment No. 3 (Amendment) to Terminal Building Lease Agreement (R2019-1616, as amended) (Lease) with the General Services Administration (GSA), an executive agency of the United States of America, adjusting GSA's rental rate under the Lease, effective October 1, 2021.

SUMMARY: The Lease provides for the lease of office and support space in the Palm Beach International Airport terminal building by the GSA, on behalf of the Transportation Security Administration. Rental rates are adjusted each October 1, in accordance with the terminal rates for non-signatory airlines under the standard form Signatory Airline Agreement (R2019-1155). GSA requires that rental rate adjustments be memorialized by amendment using a format attached as an exhibit to the Lease. The Amendment adjusts the rental rate to \$65.66 square feet, commencing October 1, 2021. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

4. Staff recommends motion to approve: Amendment No. 7 to the Construction Manager (CM) at Risk Contract with The Morganti Group, Inc. for Airport Improvements for the Department of Airports (Department), exercising the second one year renewal option for the continuation of services. **SUMMARY:** The contract with The Morganti Group, Inc. for CM at Risk Services for Airport Improvements for the Department was approved by the Board on January 15, 2019 (R2019-0042). The contract is for two years with three one-year renewal options and is a task/work order based contract for CM at Risk services for the Department. The Morganti Group, Inc. is a Danbury, Connecticut, based firm; however, the work will be directly managed by their southeast regional office in Palm Beach County. The contract value to date is \$14,094,802.82. Approval of Amendment No. 7 provides for the exercise of the second one year renewal option for the continuation of services provided under the CM at Risk Contract. The Disadvantaged Business Enterprise goal for this contract is 12%. The total to date participation for this contract is 29%. Countywide (AH)
5. Staff recommends motion to receive and file: Terminal Space Lease Agreement (Agreement) with Flight Services & Systems, LLC (FSS), commencing September 29, 2021, and terminating on September 30, 2022 (initial term), and automatically renewing on an annual basis each October 1st to September 30th until canceled, for FSS to lease approximately 162 square feet of airline ticket office space at the Palm Beach International Airport (PBI) terminal building for payment of rental in the amount of \$12,491.12 for the initial term. **SUMMARY:** FSS provides support services to airlines at PBI and leases space at the third floor ticketing level. Delegation of authority for execution of the standard form Terminal Space Lease Agreement was approved by the Board pursuant to R2018-0995. Countywide (AH)
6. Staff recommends motion to approve: a contract (Contract) with All-Site Construction, Inc. (All-Site) in the amount of \$1,079,056.25 and 180 calendar days for the Fence and Security Improvements at Palm Beach County Park Airport (LNA). **SUMMARY:** This project was advertised utilizing the County's competitive bid process. On September 2, 2021, three bids were received for the Fence and Security Improvements at LNA. All-Site, a Palm Beach County, Florida company has been identified as the lowest responsible/responsive bidder in the amount of \$1,079,056.25. This project consists of demolition of the existing perimeter fence, clearing and grubbing, tree removal, installation of new security fence, installation of new manual and electric gates (vehicle and pedestrian) with card access readers, and installation of security cameras at LNA. A Disadvantaged Business Enterprise (DBE) goal of 14% was established for this project. All-Site has committed to meet the DBE goal of 14%. Due to the fact that LNA is not a commercial service airport, recent changes to Chapter 332, Florida Statutes, that became effective on October 1, 2020 do not apply to the approval of this Contract. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

7. Staff recommends motion to approve: the third amendment (Amendment) to Fixed Base Operator Lease Agreement with Gulfstream Product Support Corporation, a Delaware corporation (Gulfstream) (R2017-0281, as amended) (Lease), allowing Gulfstream to approve the sublease of hangar and office space by Jet Aviation Associates, Ltd. (Jet), an affiliate of Gulfstream, and approving certain existing sublease agreements entered into by Jet. **SUMMARY:** Gulfstream maintains office and hangar space for the operation of an aircraft maintenance, repair and operation facility at the Palm Beach International Airport (PBI). The Lease requires the County's consent to the sublease of space, except to a parent, subsidiary, affiliate (Permitted Transferee) of Gulfstream. The Amendment will allow Gulfstream to approve subleases entered into by a Permitted Transferee, including Jet, without prior consent of County, provided the subleased space shall be used exclusively for uses and activities permitted in the Lease and under the PBI General Aviation Minimum Standards (R2005-1168) and for no other purposes whatsoever. The County is not a party to the subleases, which are subject and subordinate to the Lease. The primary reason for requiring consent is to ensure that the County receives notice of the subtenants operating from the facility. Rather than requiring consent for each individual sublease, Gulfstream will be required to provide copies of all subleases to the County within ten days of the County's request. The Amendment also provides consent to four subleases that were entered into by Jet prior to the date of this Amendment. Countywide (HF)

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to receive and file: the Florida Forest Service Annual Report for the 2020-2021 fiscal year. **SUMMARY:** The Florida Department of Agriculture and Consumer Services has submitted their Florida Service Annual Report for the 2020-2021 fiscal year. Countywide (DB)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

2. Staff recommends motion to approve: the reappointment of Paul F. King, Esq. to the Contract Review Committee (CRC) for the term of December 7, 2021 through December 6, 2024.

<u>Nominee</u>	<u>Seat No.</u>	<u>Nominated By</u>
Paul F. King	4	Mayor Weinroth Vice Mayor Weiss Comm. Marino Comm. Kerner Comm. Sachs Comm. McKinlay Comm. Bernard

SUMMARY: On December 6, 2011, the Board of County Commissioners voted to add an at-large appointee to the CRC. The Board directed that the new member be a representative from the community with general contracting experience, or an attorney experienced in construction law. On January 15, 2019, Paul F. King, Esq., was nominated and approved to be the at-large member of the Contract Review Committee. As Mr. King's term expired on September 20, 2021, he has expressed a desire to be reappointed. The Committee meets weekly, and Mr. King has only missed one meeting during his first term, and has been an asset and valued member of the Committee. Mr. King was previously an Assistant County Attorney for 26 years. The other three members of the Committee are the County Attorney (or designee), the County Engineer (or designee), and the Director of Contract Development and Control (or designee) who serves as the Committee's chair. Countywide (DB)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. [Staff recommends motion to adopt:](#) a resolution requesting the University of Florida (University) and the State of Florida Department of Environmental Protection, Division of State Lands (State) sublease the state-owned real property located at 571 N. Military Trail in West Palm Beach to the County. **SUMMARY:** The state-owned real property is approximately two acres and sits adjacent to an approximately two-acre parcel of County-owned land. This four-acre parcel of land contains a building on it commonly known as the Department of Highway Safety and Motor Vehicles (DMV) Building. The DMV office was closed in 2015 and the State no longer uses the property in any capacity. The state-owned real property is also immediately adjacent to the Mounts Botanical Garden (Mounts). The University is entering into a 50-year lease agreement (Lease Number 4564) with the State for this state-owned real property. The County and University, through its Institute of Food and Agricultural Sciences, have historically partnered at Mounts through the Palm Beach County Cooperative Extension Service (Cooperative) to provide mutually beneficial educational, agricultural and community services to County residents engaged in agriculture, horticulture, human sciences, and youth development. A sublease of this state-owned land provides the County with an opportunity to further the mission as well as the educational and programmatic goals of the Cooperative and Mounts. It also provides an opportunity to fulfill a long term goal of the Cooperative to construct a Horticulture Education and Welcome Center on a part of, or adjacent to, this state-owned property, which would support Science, Technology, Engineering and Mathematics educational missions that benefit schoolchildren, the general public, and other entities such as ornamental horticulture agencies, commercial nurseries, residential landscaping businesses, and fertilizer/pest-control applicators that need to earn state-required licenses/certificates. Prior to approving a sublease to the County, the State requires a resolution of the Board of County Commissioners requesting the sublease between the County, State and University. Adoption of this resolution shall fulfill an application requirement for the County to formally pursue a 50-year sublease of this state-owned real property. There is no cost to the County to make application to the State requesting the proposed sublease, and the formal sublease shall be subject to final approval by the County. (FDO Admin) [District 7](#) (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. Staff recommends motion to receive and file: the first amendment to Interlocal Agreement (Amendment) with the City of Delray Beach dated October 12, 2021 to extend the term of the Agreement for acceptance of City referred individuals into the Homeless Resource Center to November 28, 2026. **SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The Amendment has been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator or designee, which in this case was the Director of Facilities Development & Operations. The Standard Interlocal Agreement was approved by the Board on December 20, 2011 with Agenda Item 3H-7. This executed document is now being submitted to the Board to receive and file. (FDO Admin) Countywide (MWJ)
3. Staff recommends motion to receive and file: the second amendment (Amendment) to Infrastructure Surtax Project Funding Agreement for the administration and funding of FY 2021 vehicle replacement dated October 12, 2021, with Ric L. Bradshaw, Sheriff of Palm Beach County (Sheriff), which Amendment extends the term to April 19, 2022. **SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The Amendment has been fully executed on behalf of the Board of County Commissioners (Board) by the Director of Facilities Development & Operations. The Standard Agreement was approved by the Board on April 4, 2017, Agenda 5C-3. This executed document is now being submitted to the Board to receive and file. (FDO Admin) Countywide (MWJ)
4. Staff recommends motion to approve: a first amendment to Interlocal Agreement (R2016-1581) with the City of Boynton Beach (City) to retroactively extend the term of the Agreement through October 30, 2026. **SUMMARY:** The Interlocal Agreement with the City provides the terms and conditions under which the City can use the County's microwave system to transport radio signals from the City's tower to the County's Master Site. Under the terms of the Interlocal Agreement, the City pays a pro rata share of the operational and maintenance costs associated with the microwave system. The costs for each fiscal year are provided by the County by March 1st annually. The costs for fiscal year 2022 are \$13,062. The existing agreement expired on October 31, 2021 and the City has approved the first renewal option extending the term through October 30, 2026. The Interlocal Agreement provides for four renewal options, each for a period of five years. The Interlocal Agreement may be terminated by either party, with or without cause, upon one-year notice. The First Amendment renews the term, and adds standard County nondiscrimination, insurance, applicable law and E-Verify employment provisions. Other than the changes set forth herein, all other terms remain the same. (ESS) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

5. Staff recommends motion to approve: Amendment No. 2 to License Agreement #2274, with South Florida Fair & Palm Beach County Expositions, Inc. for the continued use of storage space by Fire Rescue extending the term from January 1, 2022 through December 31, 2022. **SUMMARY:** On December 29, 2020, the County Administrator executed License Agreement #2274 with South Florida Fair & Palm Beach County Expositions, Inc. (Fair) for warehouse space at the Fairground to store emergency supplies related to the COVID-19 emergency. The term is from January 4, 2021 through December 31, 2021 with no option to extend, at a rate of \$325 per day and \$600 of monthly utilities. Fire Rescue has requested a one-year extension as it is still in need of storage space as part of its continued efforts in response to the COVID-19 pandemic. The Fair has agreed to the extension. This Amendment No. 2 will extend the term from January 1, 2022 through December 31, 2022. The rental rate and utility cost will remain unchanged. All other terms of the License Agreement remain unchanged. Fire Rescue will continue to have administrative responsibility for this License Agreement. This License Agreement ~~is~~ may be exempt from public disclosure pursuant to Sections 119.071(3)(a) and ~~286.044~~, Florida Statutes. (Property & Real Estate Management) District 6 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

6. Staff recommends motion to approve: Amendment No. 1 to the construction manager (CM) at risk contract (R2019-1751) with Kast Construction Company LLC (Kast) in the amount of \$53,206,963 for the Supervisor of Elections (SOE) Production Facility project establishing a Guaranteed Maximum Price (GMP) for construction management services for a period of 624 days from notice to proceed. **SUMMARY:** On April 16, 2019, the Board of County Commissioners (Board) instructed staff to complete a comparative study to confirm program needs and siting options for the SOE operations, including the possible efficiencies of collocating the County-owned Main office building (Gun Club Road) and the leased Production Facility (Riviera Beach). On November 19, 2019, the Board approved the contract with Kast (R2019-1751) for construction management services for a new Production Facility for the SOE. On January 16, 2020, the Director of Facilities Development and Operations (FDO) approved Task Order No. 1 that authorized preconstruction phase services for the CM to assist the design professionals with a comparative study. The comparative study documented the efficiencies of collocating the SOE two existing facilities, the County-owned Main office building and the leased Production Facility, and developed options for accomplishing the same. On May 19, 2020, staff presented the results of the comparative study to the Board and recommended, with SOE's concurrence, collocating the facilities. As a result, the Board instructed staff to proceed with the recommendation to collocate the two existing SOE facilities in a new facility to be built at the County's Cherry Road Complex (at the intersection of Cherry and Country Club Road in West Palm Beach). Accordingly, on August 19, 2020, the Contract Review Committee approved Task Order No. 2 for preconstruction phase services for the development of the GMP for the construction of the new facility at the Cherry Road Complex. Amendment No. 1 authorizes construction management services for the construction of approximately 156,000 square feet of office and warehouse space which will house the SOE administrative office and Production Facility operations; a multi-story parking garage of approximately 146,000 square feet and additional surface parking for both public and staff use; including all the associated site infrastructure improvements required to support both buildings. The CM will have 624 calendar days from notice to proceed to substantially complete the project. Liquidated damages for failure to achieve certification of substantial completion within the contract time or approved time extension thereof is \$250 per day. The solicitation for a CM was advertised on July 21, 2019 according to the requirements of the Equal Business Opportunity ordinance. On July 21, 2021, the Goal Setting Committee established an Affirmative Procurement Initiative of 20% Small Business Enterprise (SBE) participation for the construction phase of the project, of which 8% must be African American or Hispanic American firms. Kast has achieved 20.12% SBE participation, of which 8.21% is African American or Hispanic American participation. Funding for this project is from the Public Impact Revenue fund. (Capital Improvements Division) Countywide/District 7 (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

7. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 17 to the continuing architectural services contract with Colomé & Associates, Inc. (R2019-1899) (Consultant) to provide architectural and structural engineering services for the Palm Beach County Water Utilities Department (WUD) Water Treatment Plant (WTP) #8 Administration Building and Renovations project in the amount of \$119,945.83. **SUMMARY:** On December 17, 2019, the Board of County Commissioners (Board) approved the continuing design contract with the Consultant (R2019-1899) to provide architectural services on a task assignment basis. CSA No. 17 to the continuing contract authorizes professional services for a one-story building addition of approximately 240 square feet and interior renovations of approximately 3,640 square feet to the existing PBC WUD WTP #8 Administration building located at 1500 North Jog Rd, West Palm Beach. Professional services include design, site plan amendment approval, cost estimating, construction documents, bidding and construction administration for the one-story building renovation project. The existing facility was constructed in the early 1980s and has rapidly expanded over the past 40 years. The restrooms are not ADA (Americans with Disabilities Act) compliant, the office space is too small to accommodate current staffing requirements, and the existing heating, ventilation and air conditioning system has reached the end of its serviceable life and requires replacement. Additionally, the roof is over 30 years old and has not been replaced. The new design will modernize the facility, provide improved use of space and years of weather tight protection. On August 7, 2019, the Goal Setting Committee established an Affirmative Procurement Initiative requiring a minimum mandatory goal of 20% Small Business Enterprise (SBE) participation for this continuing contract. The Consultant is a certified SBE and has committed to 100% SBE participation for this CSA. Overall cumulative SBE participation on this continuing contract to date is 95.81%. This project will be funded from the WUD Operations & Maintenance fund. (Capital Improvements Division) District 2 (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

8. Staff recommends motion to approve: an annual contract with the following contractor for Heating, Ventilation and Air Conditioning (HVAC) services on an as-needed basis through January 6, 2025.

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
Johnson Controls, Inc.	Non-Local	Non-SBE

SUMMARY: On January 7, 2020, the Board of County Commissioners (Board) approved the annual HVAC contract (R2020-0019 thru R2020-0023). The work consists of HVAC services related to system and component installations, upgrades, replacements, modifications and repairs. The contractor now joins the list of 16 already prequalified contractors for a total of 17 with a contract expiration date of January 6, 2025. The specific requirements of the work shall be determined by individual work orders issued against this annual contract. These contracts are five year indefinite-quantity contracts with a maximum cumulative value of \$5,000,000 across all prequalified contractors. Work is to be awarded as work orders on a lump sum, competitively bid basis across all prequalified contractors. Contractors are allowed to qualify at any time and be added to this annual contract. Projects \$100,000 and over are advertised on the vendor self-service website while projects \$200,000 and over are also advertised in the newspaper. Projects under \$100,000 are bid among the pool of pre-qualified contractors and for projects over \$100,000, the bidding pool is expanded to include any additional bidders responding to the specific project advertisement that submit a qualification application at least ten days before the bid due date. The HVAC annual contract was presented to the Goal Setting Committee on August 21, 2019 and the Committee established Affirmative Procurement Initiatives of sheltered market for projects less than \$100,000 (when three or more Small Business Enterprises (SBE) are qualified under the annual contract) or 10% SBE price preference for projects \$100,000 or greater. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for each work order issued. Current cumulative S/M/WBE participation for all work orders to-date under the HVAC annual contract is 33.42%. (Capital Improvements) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT

1. Staff recommends motion to receive and file: a letter confirming the termination of the Economic Development Incentive Agreement with KRS Global Biotechnology, Inc. **SUMMARY:** On June 7, 2016, Palm Beach County entered into an Economic Development Incentive Agreement (R2016-0721) (the Agreement) with KRS Global Biotechnology, Inc. (KRS) to provide an economic development incentive in the amount of \$160,000 over a period of 51 months. Under the Agreement KRS was to create 160 new jobs and retain 57 existing full-time jobs over a period of 4 years. KRS was unable to obtain a manufacturing license within the State of Florida and, as a result, could not fulfill its obligations and the County did not disburse any funds, as outlined in the Agreement. KRS and the Department of Housing and Economic Development have mutually agreed to the termination of the Agreement between KRS and Palm Beach County. District 4 (DB)

2. Staff recommends motion to:

A) ratify the signature of the Mayor on the National Association of Counties Research Grant Agreement for the Economic Recovery Cohort award; and

B) approve a budget amendment of \$100,000 in the Economic Development Fund to recognize the grant funding from the National Association of Counties Research Foundation.

SUMMARY: On February 9, 2021, the Department of Housing and Economic Development (DHED) applied for the Economic Recovery Cohort Award and on April 13, 2021 DHED received notice of the grant award of \$100,000. The County received the grant agreement and was required to execute the Agreement within a given timeframe. This grant will allow Palm Beach County to participate with other National Association of Counties leaders in identifying elements to develop an equitable economic recovery plan. **No local match is required.** Countywide (DB)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT (Cont'd)

3. Staff recommends motion to receive and file: the following documents executed in connection with a loan made to Oxygen Development, LLC (the Company) under the Housing and Urban Development (HUD) Section 108 Loan Program.

A) Palm Beach County Section 108 Promissory Note, dated September 29, 2021 for \$5M;

B) Palm Beach County Section 108 Loan Agreement, dated September 29, 2021 for \$5M;

C) Palm Beach County Section 108 Collateral Mortgage Security Agreement, dated September 29, 2021 for \$1,200,000;

D) Palm Beach County Section 108 Loan Program Agreement, dated September 29, 2021 for \$5M;

E) Palm Beach County Section 108 Guaranty Agreement, dated September 29, 2021;

F) Palm Beach County Section 108 Security Agreement, dated September 29, 2021;

G) Palm Beach County, Oxygen Development LLC and Fifth Third Bank Consent Letter, dated September 29, 2021;

H) Palm Beach County Section 108 Further Assurances and Errors and Omissions Statement; and

I) UCC-1 Financing Statement (Florida Secured Transaction Registry)

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating department as a receive and file agenda item. The documents have been executed on behalf of the Board of County Commissioners (BCC) by the County Administrator or designee in accordance with Resolution R2009-0725, and are now being submitted as a receive and file. The Section 108 Loan Program (Program) will assist in financing the expansion of the facility, which is a manufacturing company in Palm Springs and which will lead to the creation of 300 new full time equivalent jobs. The \$5M HUD Section 108 loan will be used for the purchase of custom-made machinery and equipment to manufacture supplements in the form of gummies, a gelatin based product with vitamins. The BCC approved this loan on June 15, 2021. **These are Federal funds, which require no local match.** District 2 (DB)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT (Cont'd)

4. Staff recommends motion to receive and file: an agreement with the Town of Mangonia Park in the amount of \$27,133 for code enforcement services funded under the Fiscal Year 2020/2021 and Fiscal Year 2021/2022 Community Development Block Grant (CDBG) Programs. **SUMMARY:** The document has been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Development in accordance with Agenda Item 6C-1, as approved by the BCC on July 13, 2021. The agreement with the Town of Mangonia Park combines \$12,066 from FY 2020/2021 CDBG funds and \$15,067 in FY 2021/2022 CDBG funds for the total amount of \$27,133 toward the salaries of three part-time Code Enforcement Officers. In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. **These are Federal CDBG funds, which do not require a local match.** District 7 (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT (Cont'd)

5. Staff recommends motion to receive and file: the following documents executed in connection with a loan made to Cutting Edge Landscape Services LLC under the U.S. Department of Agriculture (USDA) Intermediary Relending Program (IRP).

A) Palm Beach County USDA IRP Commitment Letter, dated February 3, 2021 for \$39,375;

B) Palm Beach County USDA IRP Promissory Note, dated May 19, 2021 for \$39,375;

C) Palm Beach County USDA IRP Loan Agreement, dated May 19, 2021 for \$39,375;

D) Palm Beach County USDA IRP General Security Agreement, dated May 19, 2021;

E) Palm Beach County USDA IRP Collateral Security Agreement, dated May 19, 2021;

F) Palm Beach County USDA IRP Assignment of Leases and Rent, dated May 19, 2021;

G) Palm Beach County USDA IRP Guaranty Agreement, dated May 19, 2021;

H) Palm Beach County USDA IRP Further Assurances and Errors and Omissions Statement;

I) UCC-1 Financing Statement (Florida Secured Transaction Registry); and

J) State of Florida Certificate of Title.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating department as a receive and file agenda item. The documents have been executed on behalf of the Board of County Commissioners by the County Administrator or designee in accordance with Resolution R2009-0725, and are now being submitted to the Board to receive and file. The USDA IRP \$39,375 loan will be used for working capital by Cutting Edge Landscape Services LLC, a landscape services company serving the Glades communities. The total project will create two full time equivalent jobs over five years. **These are Federal funds, which require no local match.** District 6 (DB)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT (Cont'd)

6. Staff recommends motion to execute: a “Certification By State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan” for the Palm Beach County Housing Authority (PBCHA) in connection with its Annual Plan for Fiscal Year 2021-2022. **SUMMARY:** The PBCHA has prepared its Annual Plan for Fiscal Year 2021-2022 for submission to the Department of Housing and Urban Development (HUD). HUD requires the County to confirm that the plans and programs outlined in the Annual Plan are consistent with the goals and objectives set forth in the County’s Consolidated Plan. Consistency with the Consolidated Plan is documented through a “Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan.” The Department of Housing and Economic Development has reviewed the PBCHA Annual Plan and determined that the goals, objectives, and activities outlined therein are consistent with the Palm Beach County Consolidated Plan for Fiscal Years 2020-2024. Specifically, the PBCHA plan will target assistance to households with incomes of no more than 30% of Area Median Income (AMI) and 50% of AMI, as well as the elderly and families with disabilities. The PBCHA plan also calls for activities to affirmatively further fair housing, increase the number of affordable housing units, and de-concentrate public housing. The County’s Consolidated Plan identified the need for rental housing, which is affordable to families with incomes of up to 80% of AMI, and the need for more affordable rental housing for the elderly and persons with disabilities, among others. Countywide (HJF)

7. Staff recommends motion to receive and file: an agreement with the Westgate/Belvedere Homes Community Redevelopment Agency (Agency) in the amount of \$237,247 funded under the FY2021/2022 Community Development Block Grant (CDBG) Program for land acquisition and development of a mixed-use project. **SUMMARY:** The agreement has been executed on behalf of the BCC by the Director of the Department of Housing and Economic Development in accordance with Agenda Item 6C-1 (R2021-0948), as approved by the BCC on July 13, 2021. The agreement with the Agency provides CDBG funds for the acquisition of real estate property located at 3473 Nokomis Avenue, West Palm Beach, Florida 33409. This property will be utilized in the development of a mixed-use project. In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. **These are Federal CDBG funds, which do not require a local match.** District 7 (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT (Cont'd)

8. Staff recommends motion to approve:

A) a budget transfer of \$1,810,000 in the Housing and Economic Development Fund to set up transfers and allocate funds for capital projects to be funded from Federal Community Development Block Grant Funds;

B) a budget amendment of \$960,000 in the Public Building Fund to recognize the transfer from the Housing and Economic Development Fund and to appropriate funds for approved capital projects; and

C) a budget amendment of \$850,000 in the Parks Improvement Fund to recognize the transfer from the Housing and Economic Development Fund and to appropriate funds for an approved capital project.

SUMMARY: On July 13, 2021, the Board of County Commissioners (BCC) adopted Resolution Number R2021-0948 that approved the Fiscal Year 2021-2022 Action Plan. The Action Plan is Palm Beach County's application to HUD for funding under the CDBG, HOME and ESG Programs. Included in the Action Plan were allocations of Federal Community Development Block Grant (CDBG) funds for the Lake Village at the Glades project for \$305,000, the Belle Glade Intake and Assessment Center project for \$655,000 and the Glades Pioneer Park project for \$850,000. The Memoranda of Understanding between the Department of Facilities Development and Operations (FDO), the Parks and Recreation Department (Parks) and the Department of Housing and Economic Development require that interdepartmental budget transfers be established to reimburse FDO and Parks for eligible project costs. These budget transfers and amendments are necessary to appropriate the required budget. **These are CDBG funds, which require no local match.** District 6 (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT (Cont'd)

9. Staff recommends motion to receive and file: Amendment 003 to Agreement R2018-0073 with the Town of Mangonia Park for the Addie L. Greene Park Improvement Project (Project) funded under the Community Development Block Grant (CDBG) Program. **SUMMARY:** Amendment 003 to the Agreement (R2018-0073) with the Town of Mangonia Park extends the performance requirement of the project completion date and modifies the date to submit Final Reimbursement request to the County, from July 15, 2020, to June 30, 2022. The aforementioned document has been executed on behalf of the Board of County Commissioners by the Director of the Department of Housing and Economic Development in accordance with Agenda Item 3I-5, as approved by the BCC on January 23, 2018. In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. **These are Federal CDBG funds, which do not require a local match.** District 7 (HJF)

10. Staff recommends motion to approve: a budget amendment of \$99,808 in the Housing and Community Development Fund. **SUMMARY:** Staff recommends the Board of County Commissioners' (BCC) approval of a budget amendment to adjust the current budget amount for the Community Development Block Grant (CDBG) to the authorized funding level. An estimated CDBG grant amount of \$6,773,034 was appropriated during the budget process but the actual amount allocated was increased by \$99,808 to the actual amount of \$6,872,842. On July 13, 2021, the BCC adopted Resolution 2021-0948 that approved the Fiscal Year 2021-2022 Action plan. The U.S. Department of Housing and Urban Development (HUD) approved the Action Plan that included the FY2021-2022 allocation of Federal Funds totaling \$9,307,278. \$6,872,842 of this amount was approved for the CDBG program. The grant agreements/funding approvals, which constitute the contracts between HUD and the County for the receipt of Federal funds, were submitted to the BCC on November 2, 2021 (Item 3I-2). The budget was approved using the estimated CDBG grant of \$6,773,034 and a budget amendment to increase the CDBG award to the actual amount of \$6,872,842 was not included with the agenda item 3I-2 and is being submitted now. **No local match is required to implement the CDBG program.** Countywide (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT (Cont'd)

11. Staff recommends motion to receive and file: Amendment 001 to Agreement R2020-1884 with the City of Lake Worth Beach funded under Fiscal Year 2020/2021 Community Development Block Grant (CDBG) Program extending the close out date from September 30, 2021 to December 31, 2021. **SUMMARY:** Amendment 001 to the Agreement (R2020-1884) with the City of Lake Worth Beach extends the date to closeout project documents and request final reimbursement from the County, from September 30, 2021 to December 31, 2021, for the installation of new ADA park equipment, fencing and amenities at Howard Park. The document has been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Development in accordance with Agenda Item 6D-1, as approved by the BCC on July 14, 2020. In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. **These are Federal CDBG funds, which do not require a local match.** District 3 (HJF)

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to approve: the reappointment of one member to the Historic Resources Review Board (HRRB).

<u>Seat No.</u>	<u>Reappointment</u>	<u>Requirement</u>	<u>Recommended By</u>	<u>Term Expires</u>
5	Clifford Brown	Archeologist	Mayor Weinroth Vice Mayor Weiss Commissioner McKinlay Commissioner Kerner Commissioner Bernard Commissioner Marino	12/7/21 – 10/7/24

SUMMARY: The Unified Land Development Code (ULDC) Article 2.G.3.H provides for the membership of the HRRB. The term of office of each member is for three years. HRRB seats are at-large positions appointed by the Board of County Commissioners (BCC). The Planning Division forwarded a memo (dated October 5, 2021) and forms to the BCC notifying the Board of the vacancies, and requesting nominations. The advisory board has 9 seats, 8 currently filled, and 1 vacancy, and a diversity count of Caucasian: 8 (100%). The gender ratio (male: female) is 2:6. The nominee is Clifford Brown, who is a Caucasian male. Staff has addressed the need to increase diversity within our boards and will continue to encourage this in an effort to expand the Board's diversity. Unincorporated (RPB)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. Staff recommends motion to approve: Work Authorization (WA) No. 5 to the Lift Station Rehabilitation Continuing Construction Contract 2020 (Continuing Contract) with Hinterland Group Inc. (Hinterland) for the Lift Station 8306 Improvements (Project) in the amount of \$438,231.33. **SUMMARY:** On September 15, 2020, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2020-1379) with Hinterland. WA No. 5 provides for the installation of 650 linear feet of 6-inch force main necessary to connect Lift Station (LS) 8306 to the existing force main pipe along NW 1st Avenue in South Bay. The Project also includes the installation of a fire hydrant and a water service, mechanical and electrical rehabilitation of the lift station. The Continuing Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On January 15, 2020, the Goal Setting Committee applied an Affirmative Procurement Initiative of a mandatory 20% Small Business Enterprise (SBE) subcontracting participation, of which 3% shall be among certified African American and/or Hispanic American owned firms. The Continuing Contract provides for 26.87% SBE participation which includes 3.18% MBE participation, 3.18% MBE (H). WA No. 5 includes 20.33% SBE participation, which includes 12.73% MBE participation, 12.73% MBE (H). The cumulative SBE participation including WA No. 5 is 7.71%, which includes 2.99% MBE participation, 2.99% MBE (H). Hinterland is a Palm Beach County based Company. The Project is included in the PBCWUD FY22 budget. (PBCWUD Project No. 20-007) District 6 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

2. Staff recommends motion to approve: Work Authorization (WA) No. 11 to the Contract for Optimization and Improvements Design-Build (Contract) with Globaltech, Inc., (Globaltech) for the Water Treatment Plant No. 11 (WTP11) Post-Treatment Chemical Improvements (Project) for a Guaranteed Maximum Price in the amount of \$4,461,141.64. **SUMMARY:** On January 15, 2019, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2019-0099) with Globaltech. WA No. 11 provides for the design and construction of proposed improvements to the post-treatment system improvements at WTP11. The proposed improvements will increase redundancy and reliability of the water treatment process. This Contract was procured under the requirements of the 2002 Small Business Enterprise (SBE) Ordinance (R2002-0064) prior to the adoption of the new Equal Business Opportunity Ordinance on October 16, 2018. The SBE participation goal established under the 2002 Ordinance was 15% overall participation. The Contract provides for 58% SBE participation, which includes 12% MBE participation, 10% MBE (H), 1% MBE (B) and 1% MBE (A). WA No. 11 includes 100% SBE participation, which includes 7.38% MBE participation, 2.65% MBE (H), 0.38% MBE (B), and 4.35% MBE (A). The cumulative SBE participation including WA No. 11 is 99.56% SBE, which includes 7.86% MBE participation, 5.07% MBE (H), 0.36% MBE (B), and 2.43% MBE (A). Globaltech is a Palm Beach County based Company. The Project is included in the PBCWUD FY22 budget. (PBCWUD Project No. 21-066) District 6 (MJ)

3. Staff recommends motion to approve: Work Authorization (WA) No. 8 to the Contract for Optimization and Improvements Design-Build (Contract) with Cardinal Contractors, Inc., (Cardinal) for the Southern Region Water Reclamation Facility (SRWRF) Injection Well System (Project) for a Guaranteed Maximum Price in the amount of \$4,505,812.00. **SUMMARY:** On January 15, 2019, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2019-0100) with Cardinal. WA No. 8 provides for the installation of a new single-zone Underground Injection Control monitor well and plugging and abandonment of the Intermediate Zone of the existing monitoring well. This Contract was procured under the requirements of the 2002 Small Business Enterprise (SBE) Ordinance (R2002-0064) prior to the adoption of the new Equal Business Opportunity Ordinance on October 16, 2018. The Contract provides for 31% SBE participation, which includes 21% MBE participation, 16% MBE (H) and 5% MBE (O). WA No. 8 includes 61.00% overall SBE participation, which includes 3.90% MBE participation, 1.65% MBE (O), and 2.25% (B). The cumulative SBE participation including WA No. 8 is 45.55%, which includes 8.74% MBE, 4.61% (O), and 4.12% MBE (B). Cardinal is headquartered in Sunrise, Florida but maintains an office in Palm Beach County from which the majority of the work under WA No. 8 will be undertaken. The Project is included in the PBCWUD FY22 budget. (PBCWUD Project No. 21-005) District 5 (MJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to approve: Work Order No. 0225-3 to the Palm Beach County (PBC) Artificial Reef and Breakwater Annual Contract, Project No. 2018ERM03 (R2019-0225) with Coston Marine Services, Inc. (Coston) for an amount not to exceed \$586,286.25 providing for the construction of a mangrove island, bird nesting berm, wave breaks, and oyster reefs in the Lake Worth Lagoon (LWL) for the Palm Beach Resilient Island Project (Project) for a term of 120 days. **SUMMARY:** On February 5, 2019, the Board of County Commissioners approved the contract (R2019-0225) with Coston, a PBC Small Business Enterprise (SBE) Company. Work Order No. 0225-3 will authorize the placement and grading of sand and armor stone to create 1.2 acres of mangrove, bird, and oyster habitat. The Project is funded by Florida Department of Environmental Protection Resilient Florida Programs Grant (R2021-1541) for 50% of cost, and The Nature Conservancy Grant (R2020-0683) for 50% of cost. At the time the contract was solicited, the SBE Ordinance (R2002-0064) was in effect, with award recommendation taking place on October 17, 2018. Coston committed to an overall 20.0% SBE participation in the contract. Coston's master contract cumulative SBE participation including this Work Order is 91.60%. **There is no cost to the County.** Districts 2 & 7 (YBH)

2. Staff recommends motion to approve: Contract No. 2021ERM03 (Contract) with Arbor Tree & Land, Inc. in the amount of \$1,359,020 providing construction services for Palm Beach County Sawfish Island Restoration (Project), for a term beginning upon execution and expiring within 210 days from the Notice to Proceed. **SUMMARY:** The Contract will provide for removal of 2.4 acres of exotic vegetation and excavation of 18,000 cubic yards of suitable sand material to create wetland habitat for fish and wildlife. The work also entails stabilizing two inlets to the wetland basins with 1,500 tons of riprap and excavating a channel connection between basins for tidal flushing to the mangroves. Excavated suitable sand material will be barged to the Tarpon Cove restoration project for beneficial re-use. Five sealed bids were received by the Department of Environmental Resources Management on August 30, 2021. Arbor Tree & Land, Inc., a West Palm Beach, Florida company, was the lowest responsive, responsible bidder. State regulations prohibit local geographical preferences in construction procurements involving state funds, so the County's Office of Equal Business Opportunity Program, Local Preference, Glades Local Preference, Glades Resident Incentive, and Apprentice Incentive could not be included in this competitive solicitation. The Project is funded by the combination of Florida Inland Navigation District (FIND) Agreement No. PB-20-211 (R2021-0361) providing \$701,700, Florida Department of Environmental Protection (FDEP) Agreement No. LPA 0238 (R2021-1542) providing \$370,185.30 and Manatee Protection Funds providing \$287,134.70. District 1 (YBH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. Staff recommends motion to receive and file: the following 12 executed Independent Contractor Agreements:

A) Coralytes, LLC, US Synchronized Swimming Coach at Aqua Crest Pool, for the period of October 1, 2021 through September 30, 2022 in an amount not to exceed \$46,000;

B) East Coast Aquatic Club, LLC, USA Swimming Coach at Aqua Crest Pool, for the period of October 1, 2021 through September 30, 2022 in an amount not to exceed \$60,000;

C) LB2 Enterprises, Inc., US Masters Swimming Coach at Aqua Crest Pool, for the period of October 1, 2021 through September 30, 2022 in an amount not to exceed \$77,500;

D) Lightning Swimming, LLC, USA Swimming Coach at Lake Lytal Pool, for the period of October 1, 2021 through September 30, 2022 in an amount not to exceed \$105,750;

E) LB2 Enterprises, Inc., US Masters Swimming Coach at Lake Lytal Pool, for the period of October 1, 2021 through September 30, 2022 in an amount not to exceed \$22,000;

F) Derek Jones, US Diving Coach at North County Aquatic Complex, for the period of October 1, 2021 through September 30, 2022 in an amount not to exceed \$46,000;

G) Kiril Zahariev, USA Swimming Coach at North County Aquatic Complex, for the period of October 1, 2021 through September 30, 2022 in an amount not to exceed \$200,500;

H) LB2 Enterprises, Inc., US Masters Swimming Coach at North County Aquatic Complex, for the period of October 1, 2021 through September 30, 2022 in an amount not to exceed \$101,000;

I) Mary Lou Putnam, Water Aerobics Instructor at North County Aquatic Complex, for the period of October 1, 2021 through September 30, 2022 in an amount not to exceed \$20,500;

J) Stephen VanCoppennolle, Water Aerobics Instructor at North County Aquatic Complex, for the period of October 1, 2021 through September 30, 2022 in an amount not to exceed \$4,250;

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

1. (Cont'd)

K) Gold Coast Gymnastics, Inc, Gymnastics Instructor at West Boynton Recreation Center, for the period of October 15, 2021 through October 6, 2022 in an amount not to exceed \$6,776; and

L) Modern Bujutsu Karate Florida, Inc, Karate Instructor at West Boynton Recreation Center, for the period of October 25, 2021 through October 19, 2022 in an amount not to exceed \$11,813.

SUMMARY: These Independent Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (BCC) by the County Administrator and Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 2002-2103, 2007-0409, 2012-0168, 2017-0822 and 2021-2049. The Department is now submitting these agreements in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a receive and file agenda item. Districts 1, 2, 5 & 7 (AH)

2. Staff recommends motion to receive and file: the following two executed Entertainment Contractor Agreements:

A) Richard Benjamin in an amount not to exceed \$300 for the LuWhite and Friends Event at Canyon Amphitheater, on October 16, 2021; and

B) Thomas J. Braga in an amount not to exceed \$1,600 for the Jaded Aerosmith Tribute event at Seabreeze Amphitheater, on October 9, 2021.

SUMMARY: The Parks and Recreation Department produces cultural activities to promote the quality of life in the communities it serves. These Entertainment Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Parks and Recreation Department in accordance with Resolution 2008-1109, amended by Resolutions 2010-0644, 2014-0168 and 2017-1367. The Department is now submitting these agreements in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a receive and file agenda item. Districts 1 & 5 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

3. Staff recommends motion to receive and file: the executed Sound and Light Production Service Contractor Agreement with Sanderford Sound, Inc in an amount not to exceed \$2,285 for the Jaded Aerosmith Tribute at Seabreeze Amphitheater, for the period October 9, 2021 through October 10, 2021. **SUMMARY:** This Sound and Light Production Service Contractor Agreement has been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Parks and Recreation Department in accordance with Resolution 2009-0592, amended by Resolutions 2010-0645, 2014-0167, 2017-1368 and 2018-0179. The Department is now submitting this agreement in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a receive and file agenda item. District 1 (AH)

4. Staff recommends motion to approve: a budget transfer of \$145,282 within the 2003 \$25 Million General Obligation Parks and Culture Improvement Fund Bond Reserves to the Lake Ida East Park Improvements project. **SUMMARY:** This funding will be utilized to assist in a variety of recreational improvements at Lake Ida East Park. Enhancements include new playground equipment, landscaping, sidewalks, paving and beach volleyball equipment at Lake Ida East Park. Funding for this budget transfer is from the 2003 \$25 Million Parks and Culture Improvement Bond Fund reserves. This budget transfer will exhaust all remaining reserves in this bond fund. District 4 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

5. Staff recommends motion to:

A) ratify the signature of the Mayor on a Florida Recreation Development Assistance Program (FRDAP) grant application submitted to the State of Florida Department of Environmental Protection (FDEP) on October 13, 2021, requesting \$200,000 to fund the project elements associated with the redevelopment of Bert Winters Park;

B) authorize the County Administrator or designee to execute the grant Project Agreement, as well as time extensions, task assignments, certifications, standard forms, or amendments to the Agreement that do not substantially change the terms and conditions of the agreement if the grant is approved; and

C) authorize the Director of the Parks and Recreation Department to serve as the designee and Liaison Agent with FDEP for this project.

SUMMARY: This grant application requests \$200,000 from FRDAP for the redevelopment of Bert Winters Park. Grant project elements include renovation of the existing restroom and vehicle parking and boat dock; installation of a new playground, picnic facilities, group picnic shelter, waterfront promenade; and construction of new parking, lighting, landscaping and associated infrastructure. If approved, the two-year grant contract will run from September 2022 until September 2024. **The County will provide matching funds using Infrastructure Sales Tax funding. District 1 (AH)**

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

1. **Staff recommends motion to approve:** a third amendment to Interlocal Agreement for Fire Vehicle Maintenance with the City of West Palm Beach to retroactively extend the term of the Agreement from September 9, 2021 through September 8, 2022. **SUMMARY:** This agreement (R2008-1567) provides for the maintenance and emergency repair of the City of West Palm Beach's Fire-Rescue emergency response apparatus by Palm Beach County Fire Rescue (PBCFR) Support Services personnel. This agreement, as amended, is cost neutral with no supplemental funding from the Fire Rescue MSTU as the City is billed for all time, materials, and services performed to maintain and repair the City's fire vehicles. During this extension period, the County shall provide for maintenance and repair services for the following emergency response apparatus: Aerials/Platforms and Ladders. Countywide (SB)

2. **Staff recommends motion to approve:** a contract with Elite Medical Specialists, LLC for medical director services for a three-year period (January 1, 2022 – December 31, 2024) in the total contract amount not to exceed \$737,400. **SUMMARY:** State law requires Palm Beach County Fire Rescue, as an Emergency Medical Services Provider, to contract for medical director services with a Florida licensed M.D. or D.O., who meets all criteria of Chapter 401, Florida Statutes, and the Rules of the Department of Health, Chapter 64J-1, F.A.C. This agreement includes the requirement for additional physicians to serve as Associate Medical Directors in order to provide increased training classes provided to the Paramedics and EMTs, an increased level of time spent in the field for supervision/observation of skill levels, and availability of twenty-four hour emergency consultation. Countywide (SB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (Cont'd)

3. Staff recommends motion to receive and file: a copy of the City of Lake Worth Beach's Ordinance No. 2021-17, extending its participation in the County's Fire/Rescue Municipal Services Taxing Unit (MSTU) through December 31, 2022. **SUMMARY:** The Fire/Rescue MSTU encompasses the unincorporated areas of Palm Beach County plus the incorporated areas within municipalities that have opted to join the MSTU. The City has participated in the MSTU since December 31, 2008, as a mechanism to receive and fund County fire rescue services to the City. On September 27, 2021, the City adopted Ordinance No. 2021-17 to extend their participation in the MSTU retroactively from December 31, 2020 through December 31, 2022, for County fire rescue services through FY 2023. A copy of the ordinance is being submitted as a receive and file agenda item for the Clerk's Office to note and receive. Countywide (SB)

4. Staff recommends motion to approve: a Contract for Ambulance Alternative Destination Pilot Program with the South County Mental Health Center, Inc. (SCMHC) for a term beginning the later of December 13, 2021 or the date that SCMHC is approved by Centers for Medicare & Medicaid Services (CMS) on Fire Rescue's Emergency Triage, Treat and Transport Model (ET3) list for alternative destination, through December 31, 2025. **SUMMARY:** On December 8, 2020, the County approved the ET3 Participation Agreement with the CMS for Fire Rescue's participation in CMS's ET3 Model for a five-year Model Performance Period through December 31, 2025. The agreement with SCMHC will implement Fire Rescue's Transport to an Alternative Destination component of the ET3 Model and provide a structure for Fire Rescue to transport Pilot Patients from the scene of a 9-1-1 emergency response to SCMHC's Alternative Destination when medically appropriate and the patient consents, for the purpose of facilitating the Pilot Patient's receipt of medical psychiatric care at the Alternative Destination. The agreement also provides a structure for Fire Rescue to transport to the same facility Pilot Patients who are not ET3 Model Beneficiaries or who are transported under the Baker Act for involuntary examination, which transports will not be considered an ET3 Model Intervention under the ET3 Model. Countywide (SB)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to approve: the first amendment to Interlocal Agreement to provide upgraded network services to the City of Atlantis. **SUMMARY:** The City of Atlantis has an existing Interlocal Agreement with Palm Beach County (R2020-0106) for network services and has requested increased bandwidth. This first amendment to Interlocal Agreement includes upgraded network services to the City of Atlantis and will generate an increase in annual revenue income of \$1,800 to the County. District 3 (DB)

2. Staff recommends motion to approve: Task Order #8 to Contract R2017-0764 with Woolpert, Inc. in the amount of \$398,076 for the 2022 Palm Beach County Color Oblique Digital Imagery Program. **SUMMARY:** Woolpert, Inc. provides geospatial services such as planimetric mapping, digital orthophotography, LiDAR processing and GPS survey in support of the County's Geographic Information System. Task Order #8 initiates a project to acquire oblique imagery for Palm Beach County; 747 square miles at 3" ground sample distance and 1,410 square miles at 9" ground sample distance. The total cost of the project will be paid over two years and split equally between the Property Appraiser and Palm Beach Countywide GIS. This contract was solicited and entered into under the now-repealed and replaced SBE ordinance, with an SBE aspirational goal for this contract of 15%. Task Order #8 includes 0% participation due to the highly specialized task. Woolpert, Inc.'s SBE contractor performs specific tasks and the County has not yet requested any of these services under the contract, therefore the cumulative SBE participation including Task Order #8 is 0%. Countywide (DB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to:

A) approve a contract for Consulting/Professional Services with Byron V. Reid, DVM, an individual, d/b/a Byron Reid & Associates V.M.D.P.A. (Byron V. Reid) for on-call veterinary services for large animals in an amount not to exceed \$10,000 per year, retroactive to October 1, 2021 through September 30, 2022, and automatically renewable for three additional one-year terms; and

B) authorize the County Administrator or designee to sign renewals of this Contract and necessary minor adjustments that do not change the scope of work or terms and conditions of this Contract.

SUMMARY: The Public Safety Department's Animal Care and Control (ACC) Division is required to provide appropriate and necessary veterinary services for sheltered animals. Under this contract, Byron V. Reid will be responsible for providing on-call, emergency and routine veterinary services for large animals at the request of the Division, as needed. This contract will be retroactive to October 1, 2021, if ACC should need his services, we can ensure payment. Countywide (SF)

2. Staff recommends motion to:

A) approve the Palm Beach County Sheriff's Office State Law Enforcement Trust Fund Agreement (LETF) which provides partial funding of expenses associated with regulation of home caregivers in the amount of \$10,000 for a period of one year beginning July 1, 2021 through June 30, 2022; and

B) authorize the County Administrator or designee to sign future LETF agreements including amendments and renewals that do not change the scope of work or terms and conditions of the contract.

SUMMARY: The Department of Public Safety Division of Consumer Affairs administers the Home Caregiver Ordinance, a general fund program. While home caregivers affiliated with an agency pay a \$30 application fee and private/independent caregivers pay a \$100 application fee for the ID Badge, there is an annual shortfall of revenue that is offset by the general fund. To close this revenue shortfall and keep the five-year ID badge affordable, staff submitted an application to LETF and was subsequently notified of the \$10,000 award. The County received the agreement on September 23, 2021. Countywide (JW)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

3. Staff recommends motion to receive and file: Interlocal Agreements with eight governmental agencies for the reimbursement of Emergency Medical Services (EMS) grant funding for medical equipment:

1. City of Boynton Beach
2. City of Delray Beach
3. City of Greenacres
4. Village of North Palm Beach
5. Town of Palm Beach
6. City of Palm Beach Gardens
7. Village of Tequesta
8. City of West Palm Beach

SUMMARY: The County was awarded \$147,932 (CSFA #64.005) during the FY 2020-21 grant cycle from the State of Florida Department of Health, EMS Bureau, to improve and expand EMS systems. The grant funding may be used by the County or municipal agencies to purchase EMS equipment. Accordingly, the County has agreed to reimburse the following municipalities: the City of Boynton Beach for the purchase of 26 Microsoft Surface tablets for electronic patient care reporting (EPCR) not to exceed \$20,279.74; the City of Delray Beach for the purchase of 1 FERNO Stretcher not to exceed \$29,194.64; the City of Greenacres for the purchase of 6 Panasonic EPCR tablets with docking stations not to exceed \$16,196.46; the Village of North Palm Beach for the purchase of 1 ActivTek Induct 500-12V UV Light with ozone not to exceed \$763; the Town of Palm Beach for the purchase of 1 Stryker Powerload Stretcher not to exceed \$21,848.94; the City of Palm Beach Gardens for the purchase of 1 Lucas Chest Compression System not to exceed \$13,939.59; the Village of Tequesta for the purchase of 1 Simulaids Smart Stat training simulator not to exceed \$12,101.88; and the City of West Palm Beach for 1 Digital Controller Substance Tracking System not to exceed \$17,000.01. Palm Beach County Fire Rescue previously received \$16,191. The remaining \$416.74 will roll over into the next grant cycle. On August 13, 2013, the County Administrator or designee was authorized to execute these standard agreements between the County and various governmental and non-governmental agencies and make non-substantive and ministerial changes on behalf of the Board of County Commissioners after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations. **No matching funds are required.** Countywide (LDC)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

4. Staff recommends motion to receive and file: executed Florida Department of Health Emergency Medical Services (EMS) Section, Grants Unit Change Request in the amount of \$12,839.39 for EMS Grant ID Code C9050 to improve and expand EMS systems for the period of May 12, 2021 through March 25, 2022. **SUMMARY:** The County was awarded \$147,932 (CSFA #64.005) during the FY 2020-21 grant cycle from the State of Florida Department of Health, EMS Bureau, to improve and expand EMS systems. There was an unspent balance of \$10,902.89 due to purchasing bids coming in lower than expected from the FY 2019-20 grant cycle, Grant ID Code C8050. Additional interest earned of \$1,936.50 brings the total to \$12,839.39 that will roll over into the FY 2020-21 grant cycle, Grant ID Code C9050 bringing the total to \$160,771,39. The grant funding may be used by the County or municipal agencies to purchase EMS equipment or provide training. On May 4, 2021, R2021-0601 authorized the County Administrator to sign the Grants Unit Change Request form for the EMS County Grant Award. The Grants Unit Change Request form was signed by State on October 8, 2021. **There is no ad valorem funding required.** Countywide (LDC)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

5. [Staff recommends motion to receive and file:](#) the following Declarations related to coronavirus disease 2019 (COVID-19):

A) Declaration of Continuing State of Emergency PBC, FL dated September 20, 2021;

B) Declaration of Continuing State of Emergency PBC, FL dated September 27, 2021;

C) Declaration of Continuing State of Emergency PBC, FL dated October 4, 2021; and

D) Declaration of Continuing State of Emergency PBC, FL dated October 8, 2021

SUMMARY: On March 13, 2020, a nationwide declaration of emergency was issued due to an outbreak of COVID-19, a serious respiratory illness that is highly contagious, can be fatal, and has already caused death. The County issued a State of Local Emergency on Friday, March 13, 2020, which remained through June 26, 2021. The Centers for Disease Control and Prevention has designated the B.1.617.2 variant of the COVID-19 virus, known as the "Delta" variant, a variant of concern and it has caused a reversal in the downward trajectory of cases and an alarming increase in hospitalizations. Based on this recent surge, on August 17, 2021 the Palm Beach County Board of County Commissioners unanimously voted to declare a local State of Emergency relating to the COVID-19 pandemic. The local emergency is ongoing and the declarations of continuing the State of Local Emergency are necessary to initiate emergent actions taken by the County Administrator to ensure the health, safety and welfare of the community. With the executed State of Local Emergency, resources are available through the Coronavirus Aid, Relief, and Economic Security Act, American Rescue Plan Act of 2021, and/or Federal Emergency Management Agency Public Assistance. Staff are able to purchase equipment, materials, supplies, and open non-congregate shelters for residents and persons who may be in need of isolation. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

6. Staff recommends a motion to:

A) receive and file the executed documents received during the month of October: a State-Funded Grant Agreement for Hazardous Materials Planning and Prevention Program (T0160) with the State of Florida, Division of Emergency Management (FDEM) for the period of July 1, 2021 through June 30, 2022, in the amount of \$11,347.62; and

B) approve a budget amendment of \$11,348 in the Emergency Management Grant Fund to recognize the grant award.

SUMMARY: This is an annual grant (CSFA # 31.067) from FDEM to conduct on-site visits and hazardous materials analyses at facilities within Palm Beach County known to have extremely hazardous substances designated by the U.S. Environmental Protection Agency. These assessments are required for compliance with the Emergency Planning and Community Right-To-Know Act, also known as the Superfund Amendments and Reauthorization Act. R2012-1731 authorized the County Administrator or designee to execute these agreements on behalf of the Board of County Commissioners. Delay in execution of the agreement is due to staff turnover. **No matching funds are required.** Countywide (LDC)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

7. Staff recommends motion to:

A) receive and file the executed documents received during the month of October: a State-funded Grant Agreement (A0194) for FY2021-22 in the amount of \$105,806 for the Emergency Management Preparedness and Assistance (EMPA) Grant with the State of Florida, Division of Emergency Management (FDEM) to receive grant funding for the period July 1, 2021 through June 30, 2022, to improve and enhance emergency management plans and programs and provide operational support to maintain state required programs; and

B) approve a budget amendment of \$79,354 in the Emergency Management Preparedness and Assistance Fund to adjust the budget to the actual award of \$105,806.

SUMMARY: The EMPA grant (CSFA #31.063) is a state funded grant that recurs annually. This grant will be used to further enhance emergency planning, response, mitigation, and recovery in the County. R2012-1731 dated November 20, 2012 gave authority to the County Administrator or designee to execute this agreement on behalf of the Board of County Commissioners. Delay in execution of the agreement is due to the project selection and approval process. **The EMPA grant requires a match at the lesser of the Division of Emergency Management's general revenue funding average for the last three fiscal years or the level of funding for the last fiscal year.** Countywide (LDC)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

8. Staff recommends motion to receive and file: emergency contract for Non-Congregate Shelter Services with Hotel 1 related to Coronavirus (COVID-19) for the period of August 12, 2021 through November 30, 2021. **SUMMARY:** On March 13, 2020, the President declared the ongoing COVID-19 pandemic of sufficient severity and magnitude to warrant an Emergency Declaration for all states, tribes, territories, and the District of Columbia pursuant to section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the Stafford Act). The Emergency Declaration designated is "FEMA-4468-DR-FL" for state, territorial, tribal, and local government entities and certain private non-profit organizations that are eligible to apply for Public Assistance (PA). PA is a federal grant to aid state and local governments in returning a disaster area to pre-disaster conditions. On March 31, 2020, the County requested approval from the Federal Emergency Management Agency (FEMA) through the State of Florida Division of Emergency Management for non-congregate sheltering and support services. On April 6, 2020, the County was granted approval from FEMA to conduct emergency non-congregate sheltering activities under the PA program. As part of the PA program, FEMA will typically fund 75% of the cost. On February 2, 2021, FEMA was directed to fully reimburse for all emergency costs at 100%. Reimbursement will be requested through the PA program and/or the Coronavirus Aid, Relief, and Economic Security Act Relief Fund. Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

9. Staff recommends motion to:

A) approve Interlocal Agreement with the City of Riviera Beach to provide Adult Reentry Services for the period retroactive to October 1, 2021 through September 30, 2022 in the amount of \$175,264; and

B) authorize County Administrator or designee to execute amendments and administrative documents associated with the above contracts, on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations.

SUMMARY: Palm Beach County Division of Justice Services contracts with providers to coordinate Adult and Youth Reentry Services to those returning to Palm Beach County from incarceration. Contracts are awarded through a competitive process and ensure that the County meets the needs of those returning from incarceration. Reentry services are customized to each individual's unique needs, and include outreach services, case management, risk and needs assessments, transitional housing, employment assistance, transportation assistance and substance use and mental health treatment. These contracts are funded through ad valorem funds and Justice Assistance Grant (JAG) funding from the Department of Justice. Palm Beach County is the recipient of funding from state levels; the providers are sub-recipients receiving a sub-award. In fiscal year (FY) 21, contracted reentry service providers enrolled 488 new reentry participants for services, increasing enrollment 19% from the previous year. Contracted reentry service providers reported a rearrest rate of only 7% for program participants in FY21. Contracted reentry service providers also delivered transitional employment assistance to 96 reentry participants and transitional housing services to 288 reentry participants. Historically, there are significant delays or possible denial of application for State JAG grant funds, however, on October 19, 2021, the Board of County Commissioners approved continuing contracts/interlocal agreements with agencies for reentry services. Countywide (SF)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

10. Staff recommends motion to receive and file: the first amendment to contract for Youth Reentry Services with Gulfstream Goodwill Industries, Inc. (GGI) (R2020-1766) which combines two line items in Exhibit B. **SUMMARY:** Palm Beach County Division of Justice Services (PBCJS) subcontracts with three reentry providers to coordinate adult and youth reentry services to those returning to Palm Beach County from incarceration. This amendment to GGI – Youth Reentry modifies the budget to expand the use of existing ad valorem funds to support professional and case management support services. These updates will be reflected in Exhibit B-1, which will replace Exhibit B. This change will afford GGI flexibility in spending their contracted allocation without the need to amend the budget, reducing potential disruption of services. In 2021, PBCJS and GGI enrolled 74% of eligible youth in reentry services where 95% of all eligible youth were contacted to offer reentry services. GGI provided pre-release contact to 63% of youth reentry participants to assist those with transitional needs in establishing support in the community prior to release. Of the youth reentry participants who completed program services, 83% had a reduced level of risk for recidivism or did not increase in risk. On November 17, 2020, the Board of County Commissioners authorized the County Administrator or designee to execute amendments and administrative documents associated with these contracts on behalf of the Board of County Commissioners after approval of legal sufficiency by the County Attorney's Office and within budgeted allocations. This contract amendment is retroactive to August 1, 2021. Countywide (SF)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

11. Staff recommends motion to approve: appointment of one nominee to the Consumer Affairs Hearing Board (CAHB) for the term of January 1, 2022 to September 30, 2024 as follows:

<u>Seat</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Nominated by</u>
3	Michael Schiff	Resident	Mayor Weinroth Vice-Mayor Weiss Commissioner Kerner Commissioner Marino Commissioner McKinlay Commissioner Bernard

SUMMARY: The Consumer Affairs Ordinance was approved by the Board of County Commissioners (BCC) on December 17, 2013, and codified in Chapter 9, Article I of the Palm Beach County Code. The Consumer Affairs Ordinance established a seven member CAHB. The CAHB serves in both an advisory capacity to the County Commissioners and as an appeals hearing board to hear and act on appeals relating to the towing, vehicle for hire, moving, home caregiver, adult entertainer, water taxi, and consumer affairs ordinances. Members are selected from various businesses, professions and the general public. Member terms are for three years with a limit of three consecutive terms expiring September 30. This nominee is a new appointment to fill a vacant seat with a term of January 1, 2022 – September 31, 2024. A memo was sent to the BCC on August 31, 2021 seeking nominations for the above at-large resident seat. The CAHB has a maximum of seven members with seat number three vacant. With the appointment of this nominee, the CAHB will have seven seats filled. The CAHB will have a diversity count as follows: Caucasian: 4 (57%), Asian: 2 (29%), and African American: 1 (14%). The gender ratio (male:female) will be 7:0. Countywide (JW)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

1. Staff recommends motion to approve: a contract amendment in the amount of \$401,192 for the continuation of the Dial-A-Ride/Mobility On Demand (MOD) Transportation Service for the Glades Region - Pilot Program by and between Palm Beach County and MV Transportation, Inc. and MV Contract Transportation, Inc. (R2020-1917) extending the contract from December 21, 2021 to June 30, 2022. **SUMMARY:** Due to the COVID-19 pandemic, on April 13, 2020, Palm Tran transitioned Go Glades from a flex route service to a dial-a-ride/mobility on demand service. This change was critical for the health and wellbeing of our customers by limiting the number of passenger on each vehicle in order to provide social distancing. Subsequently, staff provided an update on this service transition at the June 23, 2020 workshop, and recommended continuation of the dial-a-ride service model. The BCC agreed with the recommendation and continuation of the service. On June 22, 2021; during a workshop for the Go Glades Service, Palm Tran staff requested a six month extension for the current contract set to expire on December 20, 2021, in order to implement the Board's directive with no lapse in service to customers. **This amendment increases the contract amount from \$1,391,519 to \$1,792,711.** District 6 (MM)

2. Staff recommends motion to approve: an agreement between Palm Beach County and Trapeze Software Group, Inc. for Blockbuster "runcutting" software in the amount of \$198,761. The contractor shall commence services on January 4, 2022 and complete all services by October 3, 2022 or the completion of services, whichever comes first. **SUMMARY:** Palm Tran is seeking approval to enter into a sole-source agreement with Trapeze Group for software and services. Palm Tran has identified a need for software, which can provide automatic "runcutting" functionality for its Fixed Route operation. Palm Tran currently accomplishes its run cuts through a manual process that does not allow for the level of route optimization that an automatic software tool provides. Palm Tran performs run cuts approximately three times per year with significant staff time required each time. In addition to the reduction in staff time, Palm Tran will be able to create more optimized Fixed Route bus schedules for its customers. This agreement will be fully federally funded. The indemnification provision of this contract differs from the usual indemnification of the County by other contractors. Indemnification of the County by this vendor is limited to 1.5 times the amount of the contract. In addition, Trapeze Group's liability for injury to persons or damage to tangible property is limited to instances of negligence or willful misconduct by the Contractor, meaning that the County is indemnified to a lesser degree by this Contractor than in other County contracts. Given the increased legal risks presented by this indemnification provision, the Risk Management Department and County Attorney's Office recommended that Palm Tran present this contract directly for approval by this Board. Countywide (MM)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

1. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office a Department of Homeland Security, FY2021 Targeted Violence and Terrorism Prevention Grant Program grant award in the amount of \$750,000 for the period of October 1, 2021 through September 30, 2023; and

B) approve a budget amendment of \$750,000 in the Sheriff's Grants Fund.

SUMMARY: On October 1, 2021, the Palm Beach County Sheriff's Office (PBSO) received a federal grant award in the amount of \$750,000 to enhance our Palm Beach County School and Community Violence Prevention Project and corresponding comprehensive implementation strategy which addresses threats of mass violence in the community. Funding will be used to support the hire of two full time Detectives, contractual services, training, supplies, and community awareness. An increase in funding from the County may be requested through our annual budget process once the grant ends to support the newly added positions. **There is no match requirement associated with this award.** The OAG Catalog of Federal Domestic Assistance Number for this program is 97.132. The agreement number is EMW-2021-GR-00016-S01. Countywide (LDC)

2. Staff recommends motion to accept: on behalf of the Palm Beach County Sheriff's Office a Grant Award for the FY2022 Statewide Criminal Analysis Laboratory System Project between the Florida Department of Law Enforcement and the Palm Beach County Sheriff's Office for the period of October 1, 2021 through September 30, 2022. **SUMMARY:** The Florida Department of Law Enforcement (FDLE) provides state financial assistance to five locally funded laboratories in the State of Florida, including Palm Beach County. The Palm Beach County Sheriff's Office (PBSO) operates the Palm Beach County Crime Laboratory. This grant award provides funding for personnel, equipment, training, and expenses to operate the Crime Lab. Since the total award amount is not known in advance, \$300,000 was budgeted in the Sheriff's Grant fund for FY2022. We will amend the budget after the final quarterly payment is received in September to reconcile the revenue. The Catalog of State Financial Assistance number is 71.002 and the agreement number is B4004. **There is no match requirement associated with this award.** Countywide (LDC)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (Cont'd)

3. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office an agreement between the State of Florida, Office of the Attorney General and the Palm Beach County Sheriff's Office for a Victim of Crime Act (VOCA) award in the amount of \$233,637 for the period October 1, 2021 through September 30, 2022; and

B) approve a budget amendment of \$233,637 in the Sheriff's Grants Fund.

SUMMARY: On October 1, 2021, the Palm Beach County Sheriff's Office (PBSO) received a VOCA grant. These funds will be used to continue funding the three victim advocate positions to concentrate on the domestic violence, human trafficking, and violent crime victim population in Palm Beach County. The three positions will coordinate services with PBSO officers, the County's Victim Services Programs, and other municipal agencies to offer crisis intervention, lethality assessments, safety plans, and case management services. **There is no match requirement associated with this award.** An increase in funding from the County may be requested through our annual budget process once the grant ends. The OAG Catalog of Federal Domestic Assistance Number for this program is 16.575 and OAG grant number VOCA-2021-Palm Beach County Sheriff-00741. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

DD. TOURIST DEVELOPMENT COUNCIL

1. Staff recommends motion to approve:

A) a Tri-Party Agreement (Agreement) with the City of Boca Raton a municipal corporation (City) and ESPN Productions, Inc. (ESPN), a Delaware corporation authorized to do business in the State of Florida, for a term of two years, with the option for one, three year extension in an amount not to exceed \$171,000 in FY2022; and

B) an increase of \$6,000 each additional year the Agreement is in effect.

SUMMARY: Approval of this Agreement establishes the expenditure of \$171,000 in tourist development tax revenues for a college football bowl game featuring teams from NCAA Division I Football Bowl Subdivision teams with which ESPN has agreements for participation in the bowl game. The amount of tax dollars spent on subsequent bowl games will increase by \$6,000 each year during the term of the Agreement as long as the bowl game is played, and attendance is not negatively impacted due to a state of emergency. The 2021 bowl game will take place on December 18, at Florida Atlantic University in the City of Boca Raton, Palm Beach County, Florida. \$125,000 will be paid within 30 days of the execution of this Agreement, and \$46,000 will be used for activity costs as incurred, for the teams. The City will match all the County's funding obligations. ESPN will be responsible for all activities and services regarding the planning, organization, production, and operation of the bowl game and shall be responsible for the full cost of such activities and services. This event funding has been reviewed and approved by the Tourist Development Council Board. Countywide (AH)

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4. SPECIAL PRESENTATIONS – 9:30 A.M.

- A) Proclamation honoring Nicky Brown as Palm Tran’s First Transit Ambassador in Palm Beach County (District 5)

- B) **Staff recommends motion to adopt:** Presentation of annual Service Awards to 268 County employees with 20, 25, 30, 35, 40 and 50 years of service. **SUMMARY:** This is Palm Beach County’s 55th Annual Service Awards ceremony to honor County employees for their dedicated service. Countywide (DO)

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5. PUBLIC HEARINGS – 9:30 A.M. (Motion to receive and file: Proof of publication)

A. ADMINISTRATION

1. Staff recommends motion to adopt: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, fixing the boundaries of the seven county commission districts, providing for publication, providing for minutes, providing for repeal of laws in conflict, providing for severability, providing for inclusion in the code of laws and ordinances; and providing for an effective date. **SUMMARY:** On November 23, 2021, the Board of County Commissioners approved the preliminary reading and permission to advertise a new commission districts map. In an effort to encourage public participation, staff conducted two virtual public meetings and also maintained a redistricting website to both present information to the public, as well as to solicit written comments. All verbal and written communications received relating to the redistricting process were considered by staff. Countywide (RPB)

5. PUBLIC HEARINGS – 9:30 A.M.

B. WATER UTILITIES

1. Staff recommends motion to:

A) adopt a Resolution of the Board of County Commissioners, confirming the Special Assessment Roll for the Chapel Rd Water Main Extension (Project); and

B) approve a Work Authorization (WA) No. 18 to Johnson-Davis Incorporated (Contractor) under the Palm Beach County Water Utilities Department (PBCWUD) 2019 Pipeline Continuing Construction Contract (Contract) (R2020-0160) in the amount of \$42,184.70. The total assessable cost including WA No. 18 for this Project is \$75,097.

SUMMARY: The Project will provide potable water service to two residential properties currently on private wells. Petitions in favor of the installation of a potable water main were provided to PBCWUD with a 100% favorability rate (2 in favor, and 0 not in favor). Individual assessments of \$37,548.50 per parcel (See Exhibit A to this agenda item) will be assessed based on 90% of the total estimated cost of the Project. Each individual assessment was determined by using the parcel method to divide the assessable cost per parcel. The assessment is payable over a 20-year time period in equal annual payments of principal and 5.5% interest. The total assessable cost of the Project is \$75,097 and includes the costs of surveying, design, drafting, permitting, construction, inspection, administration and construction contingency. WA No. 18 will provide for the construction of the Project. This Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On April 3, 2019, the Goal Setting Committee applied an Affirmative Procurement Initiative of a mandatory 20% Small Business Enterprise (SBE) subcontracting participation. This Contract provides for 20.07% SBE participation. WA No. 18 includes 21.28% SBE participation. The cumulative SBE participation including WA No. 18 is 24.08%. Contractor is a Palm Beach County based company. The Project is included in the PBCWUD FY22 budget. (PBCWUD Project No. 20-060) District 2 (MJ)

5. PUBLIC HEARINGS – 9:30 A.M.

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to:

A) determine that Palm Beach County (County) has adhered to and implemented its Five Year Road Program (Road Program) based on substantial evidence that the funding for the current fiscal year and the addition of the new fifth year are as contemplated in the Comprehensive Plan and that fewer than 20% of the Fiscal Year 2020 construction projects are more than 12 months behind schedule;

B) adopt an ordinance amending Chapter 23, Article 1, Section 23-1(C) of the County Code (adoption of revised Road Program); providing for repeal of laws in conflict; providing for a savings clause; providing for severability; providing for inclusion in the Code of Laws and Ordinances; and providing for an effective date;

C) approve Road Program Findings of Fact Memo (per Article 12.M.3.B of the Unified Land Development Code) with a **majority plus one affirmative vote** that the delay of Benoist Farms Road from Southern Boulevard (S.R. 80) to Belvedere Road will not result in any link or intersection on the road network operating at greater than the adopted level of service, and that no project which was approved and phased, based upon such assured construction, would be denied building permits because of this delay of construction; and

D) approve the hiring of professionals to design, appraise and assist in the acquisition of lands, rights-of-way, and easements necessary to undertake the projects identified in the Road Program, as approved herein, including but not limited to the employment of real estate appraisers, engineers, certified public accountants, business damage consultants and experts, and other professionals deemed necessary.

SUMMARY: On November 2, 2021, the Board of County Commissioners (BCC) approved this amendment of Ordinance No. 85-40, as amended, on preliminary reading and authorized advertisement for today's Public Hearing for final adoption. This is the annual update of the County's Road Program, which is required to be considered each year by the Road Program Ordinance. The Unified Land Development Code (ULDC) requires that concurrent with the adoption of the annual Road Program, the BCC must determine that the appropriate Findings of Fact associated with the Road Program have been made. Those findings have been made and are defined in Attachment 1 to this agenda item. The ULDC also requires prior to the delay of any construction project from the County's Road Program, the BCC must determine that the findings associated with the delay have been made. Those findings have been made and they are defined in Attachment 2 to this agenda item. Exhibit "A" to the ordinance contains the road projects to be undertaken by the County in the next five years and is included in Attachment 3 to this agenda item. The approval to hire professionals will facilitate the property acquisitions necessary to accomplish the road improvement goals of the Road Program, as amended herein, for Fiscal Year 2022 through Fiscal Year 2026. Countywide (YBH)

5. PUBLIC HEARINGS – 9:30 A.M.

D. PUBLIC SAFETY

1. Staff recommends motion to approve: the issuance of two Special Secondary Service Certificates of Public Convenience and Necessity (COPCN) to Universal Protection Service, LLC for the gated communities of St. Andrews Country Club and Hunters Run Country Club. **SUMMARY:** Universal Protection Service, LLC has applied to provide Advanced Life Support first response, non-transport services for St. Andrews Country Club and Hunters Run Country Club. The Department of Public Safety, Division of Emergency Management has reviewed the applications and recommends approval of two Special Secondary Service ALS Provider - Non-Transport COPCNs to be issued to Universal Protection Service, LLC. The applications were found to be in compliance and met the requirements based on the PBC Code of Ordinances, Chapter 13, Sections 13-22. The COPCNs will be issued for operations restricted to the confines of St. Andrews Country Club and Hunters Run Country Club for the period of December 7, 2021, until Universal Protection Service, LLC contractual agreement with St. Andrews Country Club and Hunters Run Country Club is terminated. Palm Beach County Fire Rescue is the Primary COPCN holder for St. Andrews Country Club and Boynton Beach Fire Rescue is the Primary COPCN holder for Hunters Run Country Club. Both Primary Providers have signed a Memorandum of Understanding with Universal Protection Service, LLC to provide such services in their respective zone. The Emergency Medical Services Advisory Council has also approved the recommendation to grant Universal Protection Service, LLC, two Special Secondary Service ALS Provider – Non-Transport COPCN. Districts 4 & 5 (SB)

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6. REGULAR AGENDA

A. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to receive and file: Staff's report regarding the status of the collaboration with the University of Florida (UF) and the City of West Palm Beach (City) towards the development of an Urban Campus. **SUMMARY:** On August 24, 2021, the mayors of the City of West Palm Beach and Palm Beach County held a joint press conference to announce an economic and educational initiative for the region. The initiative provides for the conveyance of real estate owned by the City, County and private third parties within the area historically known as Government Hill in downtown West Palm Beach to the University of Florida for the planning, design and construction of an urban educational campus focused on graduate, professional and executive programs. On August 31, 2021, the Board of County Commissioners (Board) instructed staff to commence conversations with UF and City towards reaching mutual understandings and the necessary agreements for the development of an Urban Campus. As of the date of this report, staff has: 1) obtained the necessary appraisals for the conveyance of the County-owned properties; 2) drafted and commenced exchanges with UF of a proposed term sheet for the potential conveyance agreement; 3) met with City staff to discuss the conditions necessary for the construction of Community Services Department's replacement building and other future programming on the County's 45th Street Complex property; and 4) met multiple times with UF representatives to discuss the development of the programmatic and capital plan for the Urban Campus. Staff and UF representatives are actively engaged in the negotiations of the conveyance agreement term sheet for consideration by the Board as early as its January 4, 2022 regular meeting. (FDO Admin) District 7 (HJF)

2. Staff recommends motion to name: conference room #113 at the Wellington Branch Library to "The Tom and Regis Wenham Conference Room." **SUMMARY:** At the request of Commissioner Melissa McKinlay and approval of the Board of County Commissioners sitting in session on November 23, 2021, staff was given direction to provide a plan to name a room at the Wellington Branch Library after Tom and Regis Wenham. Tom Wenham served as an Air Force flight engineer with the 8th Bomb Squadron during the Korean War. In 1994, he was elected to Acme Improvement District Board. In 1996, he was elected to Seat 3 of the newly incorporated Village of Wellington and then appointed Mayor of the city council in 2000. After an ordinance was passed to allow voters to elect the mayor, Mr. Wenham was elected mayor in 2003 and served in that post until 2008. Regis Wenham has a long history of community service. In October 1999, she was appointed to the Library Advisory Board by Commissioner Masilotti as a representative for District 6. For the past 22 years she has been reappointed to the Advisory Board by Commissioners Santamaria and McKinlay. Ms. Wenham served as Chair of the Library Advisory Board from 2007-2008. Countywide (AH)

6. REGULAR AGENDA

A. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. Staff recommends motion to name: children's meeting room #116 at the Wellington Branch Library to "The Kathy Foster Children's Activities Room." **SUMMARY:** At the request of Commissioner Melissa McKinlay and approval of the Board of County Commissioners sitting in session on November 23, 2021, staff was given direction to provide a plan to name a room at the Wellington Branch Library after Kathy Foster. Ms. Foster was the first woman elected supervisor in the Wellington community for a seat on the Acme Improvement District Board in 1990. It was the first popular election in the community's history. From 1992-1994, she served as President of the Board of Supervisors for the Acme Improvement District Board. In 1996, Ms. Foster was elected to Seat 5 of the city council after Wellington's incorporation and named mayor by the Board. Ms. Foster is an Interior Designer with a degree from Brooklyn College, CUNY in textiles and designs. She is a member of St. Rita Catholic Church and ran two non-profits after leaving office: Adam Walsh Children's Fund and Junior Achievement. Countywide (AH)

B. WATER UTILITIES

1. Staff recommends motion to approve: the appointment of Pollop Phonpornwithoon, Director of Utility Operations to replace former Water Utilities Department employee Kenny Rampersad as the alternate Palm Beach County representative on the East Central Regional Wastewater Treatment Facilities Operation Board (Operations Board) effective December 1 2021. **SUMMARY:** Palm Beach County is one of five local entities that own capacity in the East central Regional Water Reclamation Facility (ECR), the largest wastewater treatment plant in the County rated at 70 million gallons per day. The County has the largest ownership interest in the capacity of the plant of approximately 35%. The Operations Board was established in 1992 through an Interlocal Agreement (R92-1228D) between Palm Beach County, the City of West Palm Beach, the City of Lake Worth Beach, the City of Riviera Beach, and the Town of Palm Beach. The Operations Board is responsible for facility budget approval, establishment of rates and fees, engineering and legal consultant selection, the approval of capital projects, and other decisions related to the oversight of the ECR. Countywide (MJ)

6. REGULAR AGENDA

C. PLANNING, ZONING & BUILDING

1. Staff recommends motion to approve:

A) an increase of one position to the Human Resources Department personnel complement of one Human Resources Specialist I position, At-will, (pay grade 27) beginning with proposed pay period January 1, 2022 for an estimated cost of \$53,828 (prorated for the last nine months of FY 2022 including benefits); and

B) a budget transfer of \$53,828 within the Building Division Fund to appropriate funding for this position.

SUMMARY: Despite the COVID-19 Pandemic, the Building Division staff processed over 82,000 permits at the end of Fiscal Year 2021 calculated at almost \$2.5 billion in permitted value. The current trend will put the total permits issued easily over 90,000 in Fiscal Year 2022. This reflects an almost 15% increase in permits issued and an 18% increase in value of construction permitted in FY21. Currently, the Building Division receives approximately 300 permit applications a day (including weekends), performs nearly 1,000 inspections per day, and is understaffed due to vacancies. The Building Division currently has approximately 60 vacant positions in its complement, in part due to current staff retiring, staff leaving for other opportunities and a personnel shortage that has been reported nationwide. Having a dedicated and exclusive point of contact within the HR Department for the Building Division may help recruit and fill current and future positions expeditiously. Positions for the Building Division have been added to the complement for FY18 - 8, FY19 - 8, FY20 - 16, FY21 - 18, for a total of 50 positions over the last 4 years. Therefore, the Building Division is requesting a dedicated position to be located within the Human Resources Department to assist with recruitment and hiring in hopes of swiftly filling the positions within the Division. This position will be fully funded from the Building Division special Revenue fund. This position is an At-will position and will be funded as long as warranted. Unincorporated (AH)

6. REGULAR AGENDA

D. HOUSING AND ECONOMIC DEVELOPMENT

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida; approving the issuance of Housing Finance Authority of Palm Beach County, Florida, Multifamily Housing Revenue Bonds (Everglades Townhomes) in the principal amount of \$14,000,000. **SUMMARY:** The Bonds are being issued by the Housing Finance Authority of Palm Beach County, Florida (the Authority), to finance the costs of acquiring, constructing and equipping a multifamily rental housing facility to contain approximately 60 units to be known as Everglades Townhomes (the Project). The Project will be located at 200 S. Barfield Highway, Pahokee, Florida. These units will be rented to qualified persons and families whose household incomes do not exceed 80% of area median income (currently \$68,480 for a family of four) for a minimum period of 15 years. The borrower is Everglades Townhomes LP, a Florida limited liability company, or an affiliate thereof (the Borrower), and the developer is Oikos Development Corporation. The Bonds will be payable solely from revenues derived from the Borrower and/or other collateral provided by or on behalf of the Borrower. Bryant Miller Olive P.A. is Bond Counsel to the Authority with respect to the Bonds, and Hunt Capital Partners will be the Borrower's placement agent for the Bonds. On November 12, 2021, the Authority held a public hearing with respect to the Bonds in the noticed principal amount of \$14,000,000 as required by Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"). **Neither the taxing power nor the faith and credit of the County nor any County funds are pledged to pay the principal, redemption premium, if any, or interest on the Bonds.** District 6 (DB)

6. REGULAR AGENDA

E. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to:

A) approve a Donation Agreement between Palm Beach County (County) and the State of Florida, Department of Corrections (FDC) for the purchase and subsequent donation of a Mobile Felony Probation Unit (Mobile Unit) from the County to FDC as part of the John D. and Catherine T. MacArthur Foundation Safety and Justice Challenge;

B) approve an Interlocal Agreement between the County and FDC for the operation of the Mobile Unit.

C) authorize the Palm Beach County Administrator or designee to execute any amendments, documents, and reports related to this agreement on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budget allocations. ~~to the above referenced agreements.~~

SUMMARY: Under the John D. and Catherine T. MacArthur Foundation's Safety and Justice Challenge (SJC) project, the County through its Criminal Justice Commission (CJC), has received \$3.5 million in grant funding to: 1) reduce local jail populations without compromising public safety, and 2) identify and reduce racial and ethnic disparities in local jail populations and criminal justice systems. As part of the SJC grant renewal process, the CJC proposed continuing its current strategies and develop additional strategies to further this work. One of the added strategies is the implementation of a Felony Probation Mobile Unit. The purpose of the Felony Probation Mobile Unit is to further the SJC goals of safely reducing the jail population and reducing racial and ethnic disparities by connecting with individuals on probation in their communities, thereby reducing technical probation violations and the warrants that result from those violations. For the first time the FDC Probation Department will utilize a mobile unit to travel to different areas of the county to allow individuals with transportation challenges to report to the probation office in their own neighborhoods. This will facilitate the development of productive relationships between probationers and probation officers. An employment specialist will also be available to assist probationers with job training and employment opportunities. A total of \$79,900 of SJC grant funding is budgeted for the purchase and subsequent donation of the Felony Probation Mobile Unit. **No County matching funds are required.** Countywide (JW)

6. REGULAR AGENDA

F. FIRE RESCUE

1. [Staff recommends motion to approve on preliminary reading and advertise for public hearing on December 21, 2021 at 9:30 a.m.;](#) an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Chapter 13, Article II, Division 3 of the Palm Beach County Code, known as the “Palm Beach County Fire Rescue Emergency Transport Fee Ordinance”; repealing and replacing section 13-58(b) to provide for an increase in emergency transport fees; providing for recitals; providing for repeal of laws in conflict; providing for savings clause; providing for severability; providing for inclusion in the code of laws and ordinances; providing for captions; and providing for an effective date.

SUMMARY: The current fees for emergency transport services are as follows:

<u>Effective Date</u>	<u>Basic Life Support (BLS)</u>	<u>Advanced Life Support-1 (ALS1)</u>	<u>Advanced Life Support-2 (ALS2)</u>	<u>Mileage</u>
January 1, 2018	\$670	\$670	\$830	\$13.50

The proposed ordinance amendment provides for an increase in the emergency transport fee schedule as follows:

<u>Effective Date</u>	<u>Basic Life Support (BLS)</u>	<u>Advanced Life Support-1 (ALS1)</u>	<u>Advanced Life Support-2 (ALS2)</u>	<u>Mileage</u>
January 1, 2022	\$690	\$690	\$850	\$14.00
January 1, 2023	\$710	\$710	\$870	\$14.50
January 1, 2024	\$730	\$730	\$890	\$15.00

Establishing these new rates will ensure that Fire Rescue continues to receive the Medicare maximum allowance for ground transportation services. These fees were last increased on January 1, 2018. The proposed rates are comparable to other billing agencies within the County and are estimated to result in an additional \$727,183 in revenues in the first full year. Countywide (SB)

6. REGULAR AGENDA

F. FIRE RESCUE (Cont'd)

2. Staff recommends motion to approve:

A) an agreement with ONEBLOOD, Inc. a Florida not for profit to purchase blood components and certain services for a five-year period (December 7, 2021 – December 6, 2026) for an estimated contract amount of \$341,750; and

B) a Business Associate Agreement with ONEBLOOD, Inc.

SUMMARY: Palm Beach County Fire Rescue is seeking approval to enter in to a sole source agreement with ONEBLOOD, Inc. for the procurement of Blood products and other services identified in this agreement. The agreement will allow Palm Beach County Fire Rescue to secure and administer blood components that will increase the opportunity for survivability in critically ill trauma patients. These components will be available on Trauma Hawk and certain Fire Rescue Emergency Medical response vehicles within Palm Beach County. The agreement requires the County agree to a limitation of liability for direct damages in the amount of \$200,000, which deviates from the County's standard contract terms. In accordance with PPM CW-F-049, the Department of Risk Management and the County Attorney's Office have reviewed the terms and have agreed to the deviations. Countywide (SB)

6. REGULAR AGENDA

G. AIRPORTS

1. Staff recommends motion to approve:

A) Amendment No. 3 to the Construction Manager (CM) at Risk Contract (Contract) with Turner Construction Company (Turner) for Airport Improvements for Palm Beach County Department of Airports (Department) in the amount of \$12,578,174 and 859 calendar days for Work Order TC 02: Switchgear Replacement at Palm Beach International Airport (PBI); and

B) a budget transfer of \$2,257,640 in the Airport's Improvement and Development Fund (Unit A342) to provide funds for the Turner contract; including a reclass from Reserves in the amount of \$2,257,640.

SUMMARY: The Contract with Turner for CM at Risk Services for Airport Improvements for the Department was approved by the Board on August 20, 2019 (R2019-1147). The Contract is for two years with three one-year renewal options and is a task/work order based contract for CM at Risk services for the Department. Turner is based in New York City, New York; however, the work will be directly managed by its southeast regional office in Miami-Dade County. Approval of Amendment No. 3 will allow the County to complete the electrical improvements to support the PBI Terminal. Primary electrical equipment that distributes power throughout the PBI Terminal Complex was installed in 1987 and is nearing the end of its useful life. Early cost estimates were prepared for this project prior to the completion of the full design effort for budgetary purposes; upon completion of design and bidding, a substantial increase in cost for this project was realized based on increased equipment costs and other fees. Future funding from the Passenger Facility Charge program is anticipated to offset the additional funding transferred from Reserves. This project is being funded from two separate line items in the approved capital budget for Airports; in addition to the switchgear project in the budget, a portion of the work being completed in this project is attributable to improvements necessary to support the expansion of Concourse B. As such, funding sources budgeted for the expansion of Concourse B are being used to partially fund this project. The Disadvantaged Business Enterprise (DBE) goal for this contract is 12%. The DBE participation for this project is 12%. Pursuant to changes to Chapter 332, Florida Statutes, effective October 1, 2020, a governing body of a commercial service airport may not approve purchases of contractual services in excess of the Category Five threshold amount of \$325,000 provided in Section 287.017, Florida Statutes, on a consent agenda. This amendment exceeds the threshold amount and must be approved on the regular agenda. Countywide (AH)

6. REGULAR AGENDA

H. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, amending Resolution No. R2018-1255, approving revisions to the Investment Policy, and providing for an effective date. **SUMMARY:** On October 25, 2021, the County Investment Policy Committee recommended that the County amend its Investment Policy to increase the cap on potential investment in bonds, notes, or instruments backed by the full faith and credit of the government of Israel from 5% to 10%, and increase the maximum maturity on those investments from five years to ten years. The recommended revision is on page 10 of Exhibit A to the proposed resolution. Countywide (DB)

I. PUBLIC SAFETY

1. Staff recommends motion to approve on preliminary reading and advertise for public hearing on December 21, 2021 at 9:30 a.m.: an ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Palm Beach County Code, Chapter 13, Article ii, Division 1 (EMS Ordinance); amending Section 13-22 (application for COPCN) relating to financial statements requirement for special secondary service providers; providing for recitals; providing for repeal of laws in conflict; providing for a savings clause; providing for severability; providing for inclusion in the code; providing for captions; and providing for an effective date. **SUMMARY:** In accordance with Palm Beach County Code, Chapter 13, Article II, Division 1, Emergency Medical Services (EMS) Ordinance, any agency desiring to provide non-transport ALS services within a community until the primary provider arrives pursuant to a contract with that Community Association must submit an application to the County and meet the requirements for issuance of a Special Secondary Service Provider Certificate of Public Convenience and Necessity (COPCN). Currently, the EMS Ordinance requires the Department of Public Safety, Division of Emergency Management to review the special secondary service application, confirm compliance with the EMS Ordinance requirements, and recommend approval. The EMS Ordinance sets forth COPCN application requirements for special secondary service providers, including a requirement for privately held entities to provide audited financial statements. Private agencies requested that this requirement for special secondary service providers be revised to provide alternatives to submitted audited financial statements. On October 19, 2021, the Board of County Commissioners directed staff to bring back an amendment to the financial statements requirement to provide more flexibility for private agencies to provide special secondary services. The amendment to the EMS Ordinance would allow special secondary service applicants that do not have audited financial statements to instead submit reviewed financial statements along with a written acknowledgment from the affected Community Association, signed by an authorized representative, confirming that the Community Association acknowledges and accepts that the applicant does not have audited financial statements and has submitted with its COPCN application reviewed financial statements in lieu of audited financial statements. Following approval of this amendment, any application for Special Secondary COPCN would still come back to the Board of County Commissioners for review and approval. At the November 18, 2021 EMS Council meeting, the EMS Council reviewed and recommended approval of the EMS Ordinance revisions. This proposed amendment to the EMS Ordinance was presented to the League of Cities on November 24, 2021. Countywide (SB)

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DECEMBER 7, 2021

7. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

DECEMBER 7, 2021

8. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

1. [Staff recommends motion to receive and file:](#) the updated Board Directive Reports which include in process and completed board directive items. **SUMMARY:** At the February 6, 2018 Board of County Commissioners Meeting, direction was given to the County Administrator to submit monthly a status report of the board directives. The report categorizes: **1)** In Process Items and **2)** Completed Items. The report continues to be updated on an on-going basis. Countywide (DN)

B. COUNTY ATTORNEY

DECEMBER 7, 2021

9. COMMISSIONER COMMENTS

District 1 – COMMISSIONER MARIA G. MARINO

Request for off-site Proclamation declaring December 10, 2021 as Andrew “Red” Harris Artificial Reef Day in Palm Beach County

District 2 – COMMISSIONER GREGG K. WEISS

District 3 – COMMISSIONER DAVE KERNER

District 4 – COMMISSIONER ROBERT S. WEINROTH

District 5 - COMMISSIONER MARIA SACHS

DECEMBER 7, 2021

9. COMMISSIONER COMMENTS CONTINUED

District 6 - COMMISSIONER MELISSA MCKINLAY

District 7 – COMMISSIONER MACK BERNARD

DECEMBER 7, 2021

10. ADJOURNMENT

"If a person decides to appeal any decision made by this Commission with respect to any matter considered at this meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."